

# HISTORICAL PAPERS

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Published by the Trinity  
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SERIES XIII

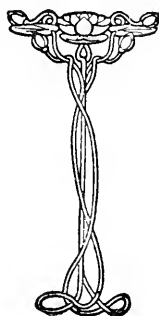
DURHAM, NORTH CAROLINA

1919



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## PREFATORY NOTE

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The essays herewith submitted are the work of students in Trinity College, having been submitted in competition for two prizes, the Braxton Craven Essay Medal and the Southern History Prize of the Trinity College Historical Society. For valuable criticisms acknowledgement is due Mr. Marshall Haywood, of Raleigh. Influences arising from the World War have delayed publication. The manuscript for Series XIV is at hand and its publication may be expected in 1920.

WM. K. BOYD,

*For Committee on Publication.*

November 26, 1919.

# HISTORICAL PAPERS

## SERIES XIII

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### Religious Defense of Slavery in the North

ADELAIDE AVERY LYONS\*

Contrary to the opinion prevailing in the South, slavery was not universally condemned in the North but, as a matter of fact, found many defenders, particularly in the colleges and the churches. The abolition movement, although making a religious appeal, was distinctly an extra-church activity. At the beginning of the nineteenth century the churches of all denominations were more or less positively anti-slavery in their teachings and practices, but during the early years of the century there was a marked increase in religious interest among the slaveholding classes—a fact which greatly modified the attitude of the churches in regard to slavery. By 1830, when the Garrisonian abolition was under way, the opinions of the churches had so far changed that not only were Garrison and his followers denounced as heretics and madmen, but the institution of slavery itself found staunch defenders in the North.

This northern defense of slavery was, like the abolition movement, largely concentrated in two sections, New England and the Middle West. The first agitation by the pro-slavery propagandists in these sections occurred during the years immediately following the rise of the abolition movement, and from that time until the actual fall of the Confederacy the northern defenders of slavery, as they decreased in numbers, increased in zeal. As Hart says in his *Slavery and Abolition*: "Abolition was sorely disappointed in the clergy and churches, especially in New England. The cloth of the North was arrayed against him (Garrison) and many of the Northern divines entered the lists. . . . The positive opposition of the churches soon followed. Lewis Tappan and others were tried by their own churches for their abolition activity.

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\* This essay was awarded the Braxton Craven Prize in 1917.

The Methodist General Conference of 1836 passed a resolution of censure upon two of its members who had spoken in favor of abolition; and the New York Methodist Conference of 1838 warned all members not in any way to patronize *Zion's Watchman*, an anti-slavery paper."<sup>1</sup>

In regard to the ministry Barnes says: "They have affixed to the word *abolition* an odious idea, and so far as their influence goes, led the public to do it also."<sup>2</sup> Of religious papers he also says: "If there is no formal and avowed *defense* of slavery . . . . their influence is such as to make it possible and convenient to refer to them in support of the system."<sup>3</sup> A number of the *Emancipator* for 1838 expressed the fear that the ministers of the gospel were "settling down to fixed hatred of the principles of liberty and fixed determination at any hazard to maintain the lawfulness of slavery and criminality of efforts for its removal. They are evincing a readiness to abandon any principle, to violate any obligation, to outrage any feeling, to sacrifice any interest heretofore held dear and sacred, if it be found to afford countenance or strength to anti-slavery."<sup>4</sup>

A review of the actions of the leading denominations on the subject of slavery will show to what extent each was inactive or was actually arrayed in the defense of the institution.

## I

Of all the sects the Baptists were, perhaps, the most hostile to slavery. The congregational nature of the church government was unfavorable to widespread agitation of any kind. Still, in many instances, there was in the North action which countenanced slavery. In 1835 Rev. D. Sharp, of Boston, cautioned a conference of Baptist ministers "to be prudent in matters not within the appropriate sphere of the church, to give no instructions to political organizations, and to avoid controversies."<sup>5</sup> In 1840 the South Carolina State Convention was assured by agents of the American and Foreign Bible Society and of the American Baptist Home Mission Society

<sup>1</sup> Hart, *Slavery and Abolition*, 211.

<sup>2</sup> Barnes, *Church and Slavery*, 17.

<sup>3</sup> *Ibid.*, 18.

<sup>4</sup> Wilson, *Rise and Fall of the Slave Power*, Vol. I, 412.

<sup>5</sup> Putnam, *Baptists and Slavery*, 17.



that the number and influence of the abolitionists among Baptists were small and feeble and that the great body of Baptists in the North had no sympathy with abolition and no desire to interfere in the smallest degree with the institution of slavery. At the Triennial Baptist Convention which met at Baltimore in 1841, radical abolitionists on the general Board, for example, Elon Galusha, were replaced by less radical men. At this convention it was understood that slavery was a subject with which the convention had "no right to interfere."<sup>6</sup> A letter signed "S. C. C." and published in the *Religious Herald* for April 4, 1844 declared that "the large body of Baptists at the North were as much opposed to the abolition movement as were those at the South."<sup>7</sup> By this year, however, the subject had become one of general interest to the Baptists. There were lengthy discussions at the Triennial Convention which met in Philadelphia but the Convention "got rid of it by laying the whole subject on the table."<sup>8</sup> In the same year the two great national missionary societies refused to take any action on the slavery question. The American Baptist Missionary Society had in its employ at this time twenty-six slaveholding missionaries,<sup>9</sup> and "the great mass of Baptists had reconciled themselves to the existence of slavery."<sup>10</sup> There was, however, some protest against this passive attitude of the church. In September, 1844, there was held in Albany a Baptist Anti-Slavery Convention which declared that the General Convention had "manifested an incurable pro-slavery spirit and was essentially committed to the fellowship of slavery and the employment of slaveholding missionaries."<sup>11</sup> The spirit of hostility expressed by this convention grew in the Baptist church and by 1846 had developed to the extent that so far as foreign and domestic missions were concerned the church was completely split. Even after this division, however, the *Christian Times*, a Baptist paper published at Springfield, would publish no anti-slavery propaganda and favored Douglas in his contest against Lincoln.<sup>12</sup>

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<sup>6</sup> *Ibid.* 26,27.

<sup>7</sup> *Ibid.* 34.

<sup>8</sup> *Ibid.* 38.

<sup>9</sup> Goodell, *Slavery and Anti-Slavery*, 187.

<sup>10</sup> Newman, *The Baptists*, 305.

<sup>11</sup> Putnam, *Baptists and Slavery*, 43.

<sup>12</sup> Dodd, *Fight for the Northwest* (Am. Hist. Review, vol. XVI).

In the Episcopal Church slavery seems never to have been a vital issue. In regard to the position of this church John Jay said:

"Alas for the expectation that she would conform to the spirit of her mother; she has not only remained a mute and careless spectator of this great conflict of truth and justice with hypocrisy and cruelty, but her very priests and deacons seem to be ministering at the altar of slavery, offering their talents and influence at its unwieldy shrine, and openly repeating the awful blasphemy that the precepts of our Saviour countenance the system of American slavery. Her Northern (free state) clergy with rare exceptions, whatever they may feel on the subject, rebuke it neither in public nor in private, and her periodicals, far from advancing the progress of abolition, oppose our society . . . . defending slavery as not incompatible with Christianity and occasionally withholding information useful to the cause of freedom."<sup>13</sup>

In 1839 a committee of the General Theological Seminary declined to admit to the Seminary "a colored young gentleman from the State of New York" who had been recommended as a candidate for holy orders. Later, while Phillips Brooks was considering entering the ministry, a friend "represented to him how the church and the clergy were holding aloof from the humanitarian movement which called for the abolition of slavery . . . . but against this plea, which made its impression, . . . . he persisted in listening to other voices, to some inward call"<sup>14</sup> In December 1860 the *Chicago Record*, the Episcopal organ for the Northwest, acknowledged that the bishops and clergy of that denomination had never raised their voices against the South or slavery.<sup>15</sup> The whole attitude of this church seems to have been one of inactivity rather than of participation on either side of the slavery controversy.

The Congregational Church, although it had few members in the slave states, yet gave a great deal of consideration to the question of slavery, and from the ranks of the denomination came some of the most ardent defenders of the institution. Members of this church had "constituted a large portion of those few who were slaveholders during the existence of slavery in the Northern and Eastern states."<sup>16</sup> Also, "some of the most prominent ministers especially in the seacoast cities were

<sup>13</sup> Quoted from Birney, *American Churches, the Bulwark of American Slavery*, 39.

<sup>14</sup> Allen, *Life and Letters of Phillips Brooks*, 141.

<sup>15</sup> Dodd, *Fight for the Northwest*.

<sup>16</sup> Goodell, *Slavery and Anti-Slavery*, 165.

bold in the defense of the pagan Fugitive Slave Law, and the great body of the church was about to endorse and ratify the surrender of the church to slavery."<sup>17</sup> From the viewpoint of the abolitionists "the influence of the religious papers in the state (Maine) was a great obstacle to the righteous cause."<sup>18</sup> In 1836 these same abolitionists considered "the attitude of current religion deplorable, . . . denouncing and assailing as fanatics those who prayed and toiled for them." (the slaves.)<sup>19</sup> In 1838 the Lincoln Congregational Conference refused to have any resolution on slavery read or anything said on the question, and it disallowed the publication of a pastoral letter which slightly alluded to the subject. The Congregational Convention of Maine in 1851 "continued its relations with slaveholding bodies and appointed as delegate to the Presbyterian Assembly a defender of slavery from the Bible."<sup>20</sup> The following year one religious paper in New England said: "The Lord's time to remove slavery has not come. We must wait. In His own time He will do it." An editorial in a copy of the *New Haven Spectator*, printed during the year 1832, said: "The Bible contains no explicit prohibition of slavery. It recognizes both in the Old and New Testaments such a constitution of society, and it lends authority to enforce the mutual obligations arising from that constitution. Its language is, 'Slaves, obey your masters, and masters, give unto your servants that which is just and equal, knowing that ye also have a master in heaven.' There is neither chapter nor verse in Holy Writ which lends any countenance to the fulminating spirit of universal emancipation of which some specimens may be seen in some of the newspapers."<sup>21</sup> Many of the New England clergy came to the defense of Daniel Webster when his action in regard to the Fugitive Slave Law was being criticised by Garrison and his followers.

The Presbyterian Church, having widespread interests in both the North and the South, was more intimately connected with slavery than was the Congregational, and hence was subject to more violent agitation on the question. Like other

<sup>17</sup> Willey, *Anti-Slave History in State and Nation*, 392.

<sup>18</sup> *Ibid.* 190.

<sup>19</sup> *Ibid.* 71.

<sup>20</sup> *Ibid.* 392.

<sup>21</sup> *New Haven Spectator*, 1832, 473.

denominations the Presbyterians had originally been opposed to slavery, but as slave-holders came into the church in greater and greater numbers, and as the radical "abolition heresy" arose in New England and the Middle West, the attitude of the church was substantially modified.

In 1818 the General Assembly passed the following resolution:

It is manifestly the duty of all who enjoy the light of the present day to use their honest, earnest, and unwearied endeavors to correct the errors of former times and as speedily as possible to efface the blot on our holy religion and to obtain the complete abolition of slavery throughout Christendom, and, if possible, throughout the World.<sup>22</sup>

This action embodied what was, for a time, the true attitude of the church upon the subject, but by 1836 this sentiment had been so radically changed that the General Assembly which met at Pittsburg adopted a set of resolutions which stated that "the subject of slavery is inseparably connected with the laws of many states of the union with which it is by no means proper for an ecclesiastical body to interfere," and the whole question of legislation in regard to slavery was "indefinitely postponed." At this same session of the General Assembly a reprint of an article which had appeared in the *Princeton Reportory*, and which was alleged to have been written by Professor Hodge of Princeton, was widely circulated. This article is quoted as saying: "At the time of the advent of Jesus Christ slavery in its worst form prevailed over the world. The Savior found it around him in Judea, the Apostles met with it in Asia, Greece, and Italy. How did they treat it? Not by denunciation of *slaveholding* as necessarily *sinful*. The assumption that slaveholding is in itself a crime is not only an error, but is an error fraught with evil consequences."<sup>23</sup>

The Presbyterian Church was, during the decade between 1830 and 1840, torn with dissension in regard to the doctrine of the atonement. This dissension led in 1837 to the excision of four synods charged with heresy, but a still greater di-

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<sup>22</sup> Quoted from Minutes of the General Assembly of 1849, 187.

<sup>23</sup> Quoted in Goodell, *Slavery and Anti-Slavery*, 153.

vision occurred the following year when the entire church became separated into the Old School and the New School Presbyterians. "It was alleged as early as 1838 that the prevalence of anti-slavery sentiment among New School men, as in New England was one of the reasons for the coöperation of the South in the policy of division. This is not borne out by facts."<sup>24</sup> However little slavery may have had to do with the division of the church, it was certainly a fruitful topic of discussion in both branches. "The Old School defended slavery on Scriptural grounds, the New School declared it 'oppressive' and 'unrighteous' but took no decisive action against it."<sup>25</sup>

The whole action of the New School was vacillating. "Mild anti-slavery resolutions were adopted, but no authoritative action was ever taken against slavery."<sup>26</sup> The New School Assembly of 1843, after a three days debate, refused to vote on the following measure: "Resolved: That the Assembly do not think it for the edification of the church for their body to take any action on the subject of slavery."<sup>27</sup> The reason given for failure to adopt the measure was that it would be "passed by a small majority and must operate to promote alienation and division."<sup>28</sup> As one anti-slavery man said: "The New School Assembly is more solicitous to have the favor of the few slaveholders who are members than to have the blessings of the poor who are perishing in their grasp—more earnest to equal the Old School in numbers than to outstrip it in righteousness."<sup>29</sup> For two years after this heroic procedure the New School General Assembly "declined to take action against slavery."<sup>30</sup> Reunion with the Old School was agitated in 1846 and again in 1850—regardless of the pro-slavery attitude of the Old School. The entire action of the New School has been summed up in the following words: "In 1839 the whole subject was referred to the Presbyteries, but in 1843 the Presbyteries were censured for acting and were requested to rescind their acts. It (the General Assembly) could not censure slavery, but it could censure Pres-

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<sup>24</sup> Thompson, *Presbyterian Church*, 155 ff.

<sup>25</sup> Goodell, *Slavery and Anti-Slavery*, 162.

<sup>26</sup> *Ibid.* 157.

<sup>27</sup> Barnes, *Church and Slavery*, 41.

<sup>28</sup> *Ibid.* 41.

<sup>29</sup> Birney, *American Churches, the Bulwark of American Slavery*, 33.

<sup>30</sup> Goodell, *Slavery and Anti-Slavery*, 162.

byteries by whom slavery was censured.”<sup>31</sup> This policy of vacillation was not agreeable to the more radical of the New School Presbyterians, and in 1853 “six synods, twenty-one presbyteries, and fifteen thousand members” withdrew and formed the United Synod of the Presbyterian Church, a strictly anti-slavery body.<sup>32</sup>

If the New School did not condemn slavery, the Old School was even less active against the evil. In a convention held preparatory to the separation between the New and the Old Schools the followers of the Old School resolved “that in the judgment of this convention it is of the greatest consequence to the best interests of the church that the subject of slavery shall not be agitated or discussed in the sessions of the General Assembly,”<sup>33</sup> and also that “the Church could not condemn slavery without condemning the apostles for conniving with it.”<sup>34</sup> The Old School Assembly of 1845 “recognized no responsibility on the part of the church to remove the evils connected with slavery” and the following year condemned “all schismatic measures tending to destroy the peace of the church.”<sup>35</sup> Again, in 1847 the Old School Assembly voted that it was “inexpedient and improper for it to attempt or propose measures of emancipation.”<sup>36</sup>

Closely related to the Congregational and the Presbyterian Churches were the agitations which arose in regard to slavery in Lane Seminary and in the present M’Cormick Seminary. Lane Seminary was located at Cincinnati, on the border between slave and free territory. In 1832, under the leadership of Theodore D. Weld, a disciple of Garrison, there occurred at Lane a series of debates on the subject of slavery. These debates created so much disturbance that, with the concurrence of the president, Lyman Beecher, they were stopped by action of the trustees. This action resulted in the withdrawal of four-fifths of the Lane students and their subsequent entrance to Oberlin College. Even at Oberlin, however, the sentiment in favor of the negroes was not as strong as is com-

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<sup>31</sup> *Ibid.* 185.

<sup>32</sup> Thompson, Presbyterian Church, 135.

<sup>33</sup> Birney, American Church the Bulwark of American Slavery, 33.

<sup>34</sup> Hart, Slavery and Abolition, 214.

<sup>35</sup> Goodell, Slavery and Anti-Slavery, 157.

<sup>36</sup> Thompson, The Presbyterian Church in the U. S., 136.

monly supposed. Provision was made in 1834 for the admission of colored students to the college, but this action was not entirely due to disinterested benevolence. The Board of Trustees found that unless they agreed to admit negro students they could secure neither three much-desired professors nor an offered endowment of \$10,000. Even under these circumstances the sentiment of the board was so evenly divided that it was necessary for Father Keep, the presiding officer, to cast the deciding vote and secure the admission of negro students.<sup>37</sup>

In the Presbyterian Church the New Albany Seminary, later known as the Theological Seminary of the Northwest, had been under the control of seven Northwestern synods. It was proposed that this seminary be turned over to the General Assembly of the church on the grounds that such a transfer would prevent the establishment of a rival seminary in that region. This action was bitterly opposed by Rev. E. L. M'Masters, who thought that in case of the transfer the seminary would be subject to "the impudent and offensive domination of slaveholders."<sup>38</sup> The transfer was, however, accomplished—for reasons similar to those which led to the admission of colored students to Oberlin: Cyrus M'Cormick promised a donation of \$10,000 on the condition that the seminary be turned over to the General Assembly and be moved to Chicago. With this promised aid as an inducement, the transfer was brought about by the brave majority of eight votes. M'Masters was not elected to a position in the new seminary because of his "feelings and purposes in regard to slavery which the Assembly could not sanction."<sup>39</sup> Nathan L. Rice was made president and "within a year delivered three lectures in North Church, Chicago, proving from the Bible that slavery was not only not contrary to divine will but positively sanctioned by the Old and New Testaments."<sup>40</sup> The secular press of Chicago declared the seminary to be "an institution founded in the interests of Southern slavery."<sup>41</sup> In regard to the whole situation Dodd says: "The churches

<sup>37</sup> Hart, *Slavery and Abolition, 190-192*, and Fairchild, *Oberlin*, 51 ff.

<sup>38</sup> Hasley, *History of M'Cormick Seminary*, 103.

<sup>39</sup> Hasley, *History of M'Cormick Seminary*, 122.

<sup>40</sup> Dodd, *Fight for the Northwest*.

<sup>41</sup> Hasley, *History of M'Cormick Seminary*, 149.

of the Northwest were becoming aroused to the dangers of radicalism and were on the conservative side."<sup>42</sup>

Of all the churches the Methodists perhaps suffered the most violent dissensions as the result of the slavery agitation. In 1784 there was strict legislation against slavery, but as early as 1808 "a series of resolutions had struck from the Discipline all that related to slaveholding among private members of the Methodist Church."<sup>43</sup> Says one who lived during the change of sentiment: "In 1824 provision was made for exhorting owners to give religious instructions to their slaves, for admitting negroes to the church, and for the employment of colored preachers, and here closes the history of her opposition to slavery as a system. These provisions yet (July, 1848) remain as the whole action of the Methodist Church against slavery."<sup>44</sup>

In 1835 Bishops Hedding and Emory exhorted the members of the New England conferences in this manner: "If any agitate other societies or communities on the subject, we advise preachers, trustees, and officials and other members to manifest displeasure and to refuse the use of pulpits and houses for such purposes."<sup>45</sup> In 1836 the General Conference which met at Cincinnati committed itself "strongly and unqualifiedly against radical abolition" and disclaimed "any right, wish, or intention to interfere with the civil and political relation between master and slave as it exists in the slaveholding states of this union."<sup>46</sup> This Conference further declared that "the only Scriptural and prudent way for us is wholly to abstain from agitating the subject."<sup>47</sup> Later, ministers were arraigned and suspended for not complying with this exhortation. The New York and Ohio Conferences approved of this action of the General Conference, but those of New England wished to take unfavorable action on the subject and to pass resolutions hostile to slavery, but Bishop Hedding refused to allow them to vote on the matter.<sup>48</sup>

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<sup>42</sup> Dodd, *Fight for the Northwest*.

<sup>43</sup> Matlack, *American Slavery and Methodism*, 28.

<sup>44</sup> *Ibid.* 32.

<sup>45</sup> *Ibid.*

<sup>46</sup> Goodell, *Slavery and Anti-Slavery*, 142.

<sup>47</sup> Matlack, *American Slavery and Methodism*.

<sup>48</sup> *Ibid.* 40-67.



In 1840 the General Conference passed a resolution to the effect that

Under the provisional exception of the general rule of the church on the subject of slavery, the simple holding of slaves, or mere ownership of slave property, in states or territories where the laws do not admit of emancipation, and permit the liberated slave to enjoy freedom, constitutes no legal barrier to the election and ordination of ministers to the various grades of office known in the ministry of the Methodist Episcopal Church, and cannot, therefore, be considered as operating any forfeiture of right in view of such election and ordination.<sup>49</sup>

Many distinguished members of this conference openly defended slavery. Bishop Hedding believed that slaveholding might be justified by the Golden Rule and argued that Methodists held slaves according to this rule. Bishop Soule declared: "I have never advised the liberation of slaves, and think I never shall." Dr. Fiske, President of Wesleyan University, said: "The New Testament enjoins obedience upon slaves as an obligation *due* to a present *rightful* authority." The opinion of Dr. T. E. Bond, editor of the *Christian Advocate Journal*, was that "Slavery itself is nowhere forbidden in Scripture." Rev. S. Olin, later President of Wesleyan, declared: "I believe we are all prepared to recognize the right of our Southern brethren to hold slaves under the provision of the Discipline. The man who denies this may be a very good man, but a very bad Methodist." J. B. Ayres, of the Philadelphia Conference, said: "In one neighborhood in Maryland some years ago the Methodists took it into their heads to free all slaves. . . . The curse of the Almighty has rested upon them ever since."<sup>50</sup> Upon another occasion Wilbur Fiske said: "The general rule of Christianity not only permits, but in supposable cases enjoins, a continuance of the master's authority."<sup>51</sup>

The lax attitude of the General Conference led the more radical of the anti-slavery members of the Methodist Church to withdraw from the connection in 1843 and in a meeting held at Ithaca, New York, to set up the Wesleyan Methodist Church, a church "free from episcopacy and slavery."

<sup>49</sup> Tigert, *Constitutional History of Methodism*, 427.

<sup>50</sup> All quoted in Matlack, *American Slavery and Methodism*, 28 ff.

<sup>51</sup> Goodell, *Slavery and Anti-Slavery*, 147.

A still greater division, however, was destined to occur in 1844. This was caused fundamentally by a difference of opinion between the northern and the southern Conferences in regard to the extent of the episcopal powers, although a question in regard to slavery was the immediate occasion of the division. The Methodists of the North, living in the midst of Congregationalism, wished to assert the independence of the Annual Conferences; those of the South, where the influence of the Protestant Episcopal Church was stronger, held that the bishops were supreme over all Conference action. Among the early difficulties which arose were the above-mentioned conflicts between Bishop Hedding and the New England Conferences in regard to anti-slavery resolutions.

By 1844 the situation had become acute and feeling was intense. In the midst of this excitement the question was raised as to whether Bishop Andrews, whose wife was a slave owner, should exercise the episcopal function. The bishops counseled postponement of action on the subject, but by a vote of ninety-five to eighty-four their recommendation was tabled.<sup>52</sup> Bishop Andrews was "virtually suspended from his office as Superintendent" with the result that the southern conferences severed their connection with the northern. At the very conference in which the split occurred, however, "no single voice was heard to declare that it was unchristian to hold slaves under any and every circumstances. . . . many voices were heard pleading equivocally but surely for slavery."<sup>53</sup>

Although most of the slaveholding congregations of Methodism affiliated themselves with the southern branch of the church, there were, nevertheless, in the northern church four thousand slaveholders, and "every effort was made to prevent their being interfered with by the abolitionists of the North."<sup>54</sup> Even as late as 1860 the prevalence of pro-slavery sentiments in the North deterred the General Conference from action on the subject. The *Northwestern Christian Advocate* of May 23 and June 6 of that year declared that "slavery had never been proven a sin similar to polygamy, idolatry, and drunkenness, but that it rested upon good Bible grounds."<sup>55</sup>

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<sup>52</sup> Tigert, *Const. Hist. of Sou. Methodism*, 440.

<sup>53</sup> Matlack, *American Slavery and Methodism*, 11.

<sup>54</sup> *Ibid.* 194.

<sup>55</sup> Dodd, *Fight for the Northwest*.

Matlack sums up the situation in the Methodist Church as follows:

"However reluctant any may feel to accredit the fact that the executive officers of the church gave their influence against anti-slavery action and in favor of slavery, it cannot be denied.<sup>56</sup>

The chief reasons for the churches failing to give organized support to the anti-slavery movement were undoubtedly natural conservatism and fear of dissention and schism, but it is a significant fact that the dates of the pro-slavery agitation coincide with the establishment of theological seminaries and the emphasizing of the verbal inspiration of the Scriptures. It was, indeed, through a literal interpretation of certain passages of Scripture that the northern defenders of slavery gained most of their arguments.

## II

Having traced the attitude of various denominations toward the question of slavery, it is now in order to note some of the more notable defenses of the institution by individual clergymen.

One of the earliest and also one of the most violent of the pamphlets written in defense of slavery was *Thoughts on Slavery*, published anonymously in Lowell, Mass., in 1848. The chief question raised is, "Whether negro slavery is consistent with the precepts of the Christian religion?" In proof of its absolute consistency the author accepts literally Noah's curse of Canaan as the beginning of slavery and at great length goes into a study of the probable psychology of Noah, Ham, and Canaan, with the result that he assumes the curse to have been the direct expression of the will of the Almighty and to extend to the last descendant of Ham, just as the blessing of Noah extends to the last descendant of Shem and Japheth. His conclusion on this point is as follows:

The entire human race is suffering to a certain extent in consequence of the fall of their great progenitor (Adam), a portion of that race is suffering additional evils in consequence of the wickedness of their more immediate ancestor. The modern doctrine in re-

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<sup>56</sup> Matlack, *American Slavery and Methodism*, 64.

lation to the social and political equality of man has not, therefore, always been true, nor, unless the whole progeny of Canaan be extinct and swept from the face of earth, is it true now.<sup>57</sup>

The justice of the divine decree which thus curses a portion of the human race, the author says, can be no more satisfactorily explained than can the indisputably true doctrine of election. He next takes up the history of slavery to show that it is a divinely favored institution. Abraham was undoubtedly a slaveholder, and in the Mosaic law slavery is "expressly recognized and permitted."<sup>58</sup> This law was not abrogated by the New Testament. Then is discussed the war cry of the abolitionists, "Do as you would be done by." In this connection the author points out that the doctrine, if only carried far enough, would force the abolitionists to let slaveholders alone and would also stop all action at law against criminals. He further holds that conscience cannot be an infallible guide since it permits various inconsistencies. To the abolitionists he says in this connection: "While you are dulcifying your tea and coffee with the sugar of the tropics merely to heighten their flavor—let me impress on your conscience that all this gratification is only purchased by the blood and tears of slavery."<sup>59</sup> He admits the natural desire of slaves for freedom but doubts the possibility of such freedom; there is no warrant for it from Scripture, for the apostles join with the law and the prophets in enjoining the obedience of servants to masters.

The next section of the pamphlet is devoted to the refutation of certain arguments advanced by Dr. Channing. If, as Dr. Channing held, Paul did not openly declare against slavery because he feared a slave war, but did privately express his hostility to the institution, the author declares that the apostle's action was "so degrading to his high and lofty intellect, so debasing to his spotless morality, so unlike his dauntless courage which distinguished him on all occasions that we turn from it in disgust."<sup>60</sup> As to Dr. Channing's argument that if slavery is countenanced in the Scriptures, so is polygamy, the writer holds that the origin of slavery is clearly

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<sup>57</sup> *Thoughts on Slavery*, 14.

<sup>58</sup> *Ibid.* 17-27.

<sup>59</sup> *Ibid.* 32, 40.

<sup>60</sup> *Ibid.* 49-51.

divine, that of polygamy uncertain, and that polygamy died naturally among the Jews while slavery remained. "Those who so vehemently affirm that the sinfulness of slavery is so plainly declared in the Bible are bound to explain why all Christendom, with the Bible in their hands, have remained until recently in such profound ignorance of the fact," for the Puritans "with all their strictness did not pronounce it a crime."<sup>61</sup>

In conclusion the author takes up the question: "Was slavery designed to be perpetual or temporary?" He argues that as the precepts of the Bible are binding to all ages, so also is the curse on Canaan. The blessings on the descendants of Shem and Japheth have been carried out until they are the masters of the earth. In proving that the curse upon Canaan has been carried to a similar extent, and that the negroes are their descendants, he employs a remarkable syllogism. Africans are cursed with the worst geographical location on the earth; the sons of Canaan were cursed; therefore the Africans are the sons of Canaan. The curse must have been immediate in its operation, it must have "caused a change in the hair, bones and color of the negroes." There is no other way to account for these changes, since negroes were so formed at the time of the early Egyptian monuments, which were made too near the time of the flood for these changes to have been brought about by natural means. "The change that produced the negro was supernatural. God, for wise purposes, ordained that one portion of mankind should enslave another, and he set a mark upon the unfortunate party by which he could always be recognized."<sup>62</sup> The righteousness of negro slavery cannot therefore be doubted, because "an universal custom, existing from time immemorial, known and practiced of all men in all places, cannot be falsified or mistaken. Such has been the case with regard to negro slavery."

The author's final conclusion is: "Negroes have always been slaves and always will be. Philanthropists have discovered no method to prevent it. As long as there is a descendant of Canaan there will be slavery."<sup>63</sup>

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<sup>61</sup> *Ibid.* 51-53.

<sup>62</sup> *Ibid.* 66, 68.

<sup>63</sup> *Ibid.* 70.

Another striking pamphlet written in defense of slavery was *Conscience and the Constitution*, by Moses Stuart, Professor of Hebrew in Andover Theological Seminary. It is particularly noteworthy for its broad-minded, common-sense consideration of actual facts as they existed in the United States in 1850, and because the good doctor did not allow his earnestness to overcome his sense of humor. The pamphlet was occasioned by the fact that Dr. Stuart had upheld, amid a tumult of criticism, Daniel Webster's famous seventh-of-March speech. In answer to his critics Dr. Stuart wrote this pamphlet in which he does not defend the perpetuation of slavery in the South, but does bitterly denounce the course of the abolitionists and does extenuate slaveholding as having Scriptural sanction and as being an institution for which the Southerners of his day were not responsible.

On the title page Dr. Stuart quotes, in Greek, I Corinthians 7:21: "Art thou called, being a servant, care not for it." With apologies for appearing to hide behind the great apostle, he proceeds to take these words as his text and to suggest the applicability of the words "care not for it" to those who are not under the yoke of slavery, as well as to those who are. "A little more of the *laissez faire*", he says, "would become believers in the Holy Scripture."

After relating the manner in which he had been drawn into the controversy, Dr. Stuart proceeds to consider the question of slavery as it is referred to in the Old Testament. Here he finds it strongly entrenched; "in the commandments servants male and female are recognized as a standing and permanent part of the Jewish people."<sup>64</sup> Also there is no command to *make* slaves, but it is equally certain that there is no command to *unmake* them. One thing, however, is probable, that there is a cognizance of them in such a way as to render it quite certain that Moses expected the Jewish nation to continue to have such a class of people as servants or slaves."<sup>65</sup>

Next, for the benefit of the "many, many thousands sincerely desirous of knowing what light may be obtained from the Bible to aid them in discriminating and performing their

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<sup>64</sup> *Conscience and the Constitution*, 11.

<sup>65</sup> *Ibid.* 11.

duty," Dr. Stuart takes up the question: "Is slavery, aside from the slave traffic, a sin?" On this point he argues the antiquity of slavery, and concludes from specific biblical allusions that it must have existed before the flood, that Abraham possessed fifteen hundred serfs, and that before the birth of Isaac he had intended to make a Damascene slave his heir.<sup>66</sup>

After remarking on the fact that among the Hebrews the year of Jubilee applied only to Israelitish slaves, not to aliens, Dr. Stuart considers the various classes of servants among the Jews and the treatment accorded to them, and shows that when the law was first given only male servants had the privilege of the year of Jubilee, and that it was not until the Hebrews had been under the guidance of Moses for forty years that the same right was granted to females. This fact he calls to the particular attention of those who demand immediate emancipation.<sup>67</sup> The Mosaic law required the return of escaped Hebrew slaves but not of slaves who had escaped from the neighboring heathen, because under Hebrew bondage the slave would have advantages which he could not have if he were the servant of a heathen master. This fact, Dr. Stuart points out, does not permit Northerners to hold slaves who have escaped from southern masters, because Southerners are certainly not heathen. The law also gives "an unlimited right to purchase (not to steal) bond-men and bond-women of the heathen who shall be bond-men forever with no year of jubilee." For such sentiments, Dr. Stuart says, "the Abolitionists will probably think very ill of Moses and not be very courteous toward me for quoting him."<sup>68</sup>

Next in order comes the testimony of the prophets, "who could not contradict the law of Moses, yet the Abolitionists have twisted texts to make it appear that they do." Individual texts are cited which were made by the Abolitionists to do duty in the slavery controversy, but which have in reality no connection with the subject. In concluding his review of the position of the Old Testament on slavery Dr. Stuart says:

The Jews were permitted to purchase and hold slaves who were native Hebrews. But this could only be done for six years at a time.

<sup>66</sup> *Ibid.* 22, 23.

<sup>67</sup> *Ibid.* 29.

<sup>68</sup> *Ibid.* 34.

Moses made advances in the matter of humane treatment, but the sinfulness of such slavery so modified Moses never once intimates. Furthermore God would not have sanctioned a positive evil among his chosen people.<sup>69</sup>

As to the attitude of the New Testament, Dr. Stuart finds that Christ, whose mission concerned sin, not government, did not mention slavery, and that no apostle was directly hostile to it.<sup>70</sup> Paul's attitude he sums up thus: "If you are a slave, do not make a fuss about it. Let every man abide *in statu quo*. If you have *spiritual* freedom, *civil* bondage does not matter."<sup>71</sup> Summarizing the whole attitude of the New Testament, he says:

Not one word has Christ said to annul the Mosaic law while it lasted. Neither Peter nor Paul have uttered one. Neither of these has said to Christian masters, "Instantly free your slaves." Yet they lived under the Roman laws concernig slavery which were rigid to the last degree. How is it explicable on any ground when we view them as humane and benevolent teachers—and especially as having a divine commission—how is it possible that they should not have declared openly and explicitly against a *malum in se*?<sup>72</sup>

The next topic discussed is less directly scriptural. It is "the influence which Christian principles should have in our minds in relation to slavery and to the agitated questions of the day." Dr. Stuart argues that the constitutional requirement that slaves shall be returned is legally sound, and that, although he personally believes that it is, in the broadest sense, not desirable that one man should hold another as property, yet it is a question which each state and each individual must decide for himself, and other states must respect that decision.<sup>73</sup> In reply to the contention that conscience is a higher law than the constitution, Dr. Stuart cites the biblical case of Onesimus whom Paul returned to Philemon that he might "receive him *forever*. Paul's Christian conscience would not permit him to injure the vested right of Philemon." The application is made very plain in the words: "Paul's course is very different from that of the Abolitionists."<sup>74</sup> Dr. Stuart

<sup>69</sup> *Ibid.* 41.

<sup>70</sup> *Ibid.* 43-51.

<sup>71</sup> *Ibid.* 51.

<sup>72</sup> *Ibid.* 55.

<sup>73</sup> *Ibid.* 56-59.

<sup>74</sup> *Ibid.* 59.



further portrays the fallibility of the human conscience by citing the conscientious action of Saul in persecuting the Christians and of the Hindoo mother in sacrificing her child in the Ganges. He says:

"If there is a higher law, it was discovered by the Abolitionists who condemn the conduct of Paul." As an illustration of his point he cites a member of Congress who declared "he would rather hang a man for sending back a runaway slave than for any other crime whatever." "Alas," says Dr. Stuart, recurring to the case of Onesimus, "for the Apostle Paul if he were now among us and should fall into his clutches. This noble martyr received from the Jews five times forty stripes save one; thrice he was beaten with cudgel-rods; once he was stoned; thrice he suffered ship-wreck; besides enduring an infinitude of other vexations and annoyances; but now he would fare worse, he would be hanged by the neck until dead in the very midst of a *Christian* land."<sup>75</sup>

In the pages which follow Dr. Stuart turns from a biblical to a purely political view of the situation and expresses his opposition to the Mason Act, his conviction of the futility of the Wilmot Proviso, and his disapproval of various state activities,—of the South Carolina Seaman's Act, but no less of the legislation by which "no colored freeman can settle in Ohio."<sup>76</sup> He further says that the whole United States is wild on the subject of slavery, and that the action of both North and South should be governed not by minor prohibitions or permissions of the Scripture, but by its broader teachings which deal with love and brotherly kindness. From such precepts Dr. Stuart draws for the South the lesson that the ideal state is one in which universal freedom exists,<sup>77</sup> but his application is no less pointedly directed toward the Abolitionists. To them he says: "No wonder the South is agitated by the course of the Abolitionists, for to be called man-stealers, murderers, tyrants, villains, and every other reproachful name which the rich vocabulary of the Abolitionists affords is enough to wake the dead to life." Such men as the Abolitionists, he says, cannot see the truth of Mr. Webster's declaration that "Abolition has helped rivet the chains of the slave and make his bondage more severe and certain, cannot bear

<sup>75</sup> *Ibid.* 64.

<sup>76</sup> *Ibid.* 67-82.

<sup>77</sup> *Ibid.* 103-107.

to be told the truth that all this noise and confusion and perpetual vituperation and contumely are much ado about nothing."<sup>78</sup>

For the South he finds further palliation in the fact that slavery was introduced not by Southerners but by Englishmen, and that the slave trade was carried on by New Englanders rather than by Southerners. He believes that "universal and immediate emancipation would be little short of insanity. There should be gradual, but certain, emancipation." Freed slaves, he thinks, should be colonized either in Africa or on government reservations. Above all, he begs the agitated factions to "follow after the things which make for peace" and to "recompense no man evil for evil" in order that the Union may not be destroyed.<sup>79</sup> On the whole Dr. Stuart admitted the literal right to hold slaves, a right which should not be interfered with, but he believed also in the greater right, the right of all men to freedom, and he hoped for the day when the negroes should possess this right. He faced his subject fairly and courageously. Altogether his book makes a greater appeal to the modern reader than do any of those written in the North in the defense of slavery.

Another of the northern schoolmen who defended slavery was Nathan Lord, who was from 1828 until 1863 President of Dartmouth College. In 1863 he resigned because his views on slavery had led the trustees of the college "seriously to demand whether its interests did not demand a change in the presidency."<sup>80</sup>

Dr. Lord's pro-slavery views were probably based largely upon his abhorrence of the doctrines of Thomas Jefferson and his firm belief in the verbal inspiration in the Scriptures. His first publication on the subject of slavery was a pamphlet of thirty-two pages, entitled *A Letter of Inquiry to Ministers of the Gospel of all Denominations on the Subject of Slavery by a Northern Presbyter*. It was printed in 1854. In this pamphlet Dr. Lord asks his ecclesiastical brethren eleven questions. His initial inquiry is: "Whether it does not especially concern ministers of the gospel to consider slavery as a ques-

<sup>78</sup> *Ibid.* 108.

<sup>79</sup> *Ibid.* 112-115.

<sup>80</sup> John Lord, Nathan Lord, 12 (Publications of New Hampshire Hist. Society).

tion of Divine right?" He next proceeds to inquire, "Whether slavery is not an institution of God according to Natural Religion?" He finds that the natural depravity of man has necessitated slavery, which we must conclude is a part of God's wise providence for the reformation of the world. It would, indeed, be a "reflection upon the character of God to conclude otherwise, just as it would be to conclude that sickness, pain, death, or frost, mildews, earthquakes and volcanoes, or the subjection of the weak to powerful animals, or of the whole to man are not naturally parts of God's comprehensive, righteous, and for aught we know, notwithstanding irregularities, the best possible administration of a disordered system."<sup>81</sup>

Having reconciled slavery with natural religion, Dr. Lord inquires, "Whether slavery is not also a positive institution of Revealed Religion?" In his argument upon this topic he naturally accepts the statements of the Bible as a positive criterion for conduct in all ages and circumstances. He raises the question as to whether the curse of Ham did not fall upon all of his descendants just as the blessing of Abraham rested upon the whole race of the Hebrews. He cites the Mosaic code in which the buying and selling of slaves "were required and regulated as necessary parts of the theocratic institution, without which his wonderful designs in separating the Jewish nation and blessing the tribe of Shem could not have been accomplished," and the recognition and moral ordering of slavery in the precepts subsequently given to all races by Christ and his apostles," as topics worthy of study on the part of his fellow ministers.<sup>82</sup>

Having reconciled slavery with both natural and revealed religion, Dr. Lord next makes inquiries in regard to the practical workings of a system of slavery:

"Whether the holding of slaves as ordained by natural and revealed religion can be inconsistent with providence or the will of God, and particularly with the law of love?"

"Whether interpretations of this law which are in opposition to the Scriptures are not fallacious?"

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<sup>81</sup> Letter of Inquiry, 4-7.

<sup>82</sup> *Ibid.* 8, 9.

"Whether there is any more force in objections against the institution of slavery itself, in distinction from its abuses, than would exist in respect to domestic, civil, or ecclesiastical government?"

"Whether the Nebraska Bill is of great consequence to slavery itself aside from its actual or possible abuses?"

"Whether, since slavery is a part of the institution of God for the government of the world and the betterment of the African race, it is not unwise and hazardous for Christian men to denounce and oppose the institution itself apart from its abuses?"

"Whether the constant play upon the public sympathy and the spread of a new and visionary philosophy which subjects the Scripture to the interpretation of reason and sets man's imaginary rights above his duties, his happiness above his virtue, have not caused an unhinging of the public mind, greatly exaggerated existing facts, and placed the nation in danger of dissolution?"

"Whether, although slaveholding states be justified in respect to the institution of slavery, they can be justified in any of the abuses of the institution?"

"Whether a minister may not receive charity although he differ from his brethren in his honest views?"<sup>83</sup>

The charity which Dr. Lord sought was, in many instances, not forthcoming. There was a storm of protest from various sources, but particularly from the *New Englander*, and in 1855 Dr. Lord, "for the sake of the ultimate repentance and salvation of his critic and to show that he did not intend to defend slavery as it exists in the moribund fancy of the reviewer," issued a second pamphlet, this time over his own signature. The pamphlet is entitled *A Northern Presbyterian's Second Letter to Ministers of all Denominations on the subject of Slavery*, by Nathan Lord, President of Dartmouth College. In this pamphlet Dr. Lord introduces little new argument, he merely expounds what to him would seem the logical answers to the inquiries of his former pamphlet.

Five years later, on December 1, 1859, at the request of a former pupil from Richmond, Dr. Lord wrote *A Letter to*

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<sup>83</sup> *Ibid.* 11-31.

*J. M. Conrad, Esq., on Slavery*, which was published in the *Richmond Whig* and also in pamphlet form. In this letter Dr. Lord expresses his disapproval of the John Brown raid and takes occasion again to deplore the current philosophy which elevates liberty and humanity above submission to the Divine will. He also prophesies the ultimate dissolution of the Union and expresses his belief that throughout the disturbances of the day Providence is working out the curse of Ham, and that, although slavery as an institution might be abolished, it would be impossible to discontinue actual, practical slavery until the will of God had been accomplished.

Altogether Dr. Lord's consideration of slavery is theoretical rather than practical; to him slavery was not a concrete institution but an abstract principle, an academic question which was to be settled not by a consideration of the facts as they existed, but by an application to contemporary problems of theories derived from a literal interpretation of biblical references to the subject.

### III

In addition to these pamphlets there were several books written in the North in the defense of slavery. As Albert Bushnell Hart says: "It is a significant fact that among the most thoroughgoing defenses of slavery are four books by Northerners."<sup>84</sup> Three of these are by ministers and treat the question from a religious point of view.

The earliest is *A South-Side View of Slavery; or Three Months at the South*, by Rev. Nehemiah Adams, of Boston. If Dr. Lord's consideration of slavery is based on a theoretical rather than a practical knowledge of the institution, Dr. Adams could certainly claim that his views were founded upon a personal acquaintance with his subject. His book is the result of a three-months' visit in South Carolina, a visit which completely revolutionized the good doctor's preconceived conceptions of slavery. He looked upon it at close range and found it, upon the whole, good. In regard to the slaves he says: "Ten thousands of people are miserable on their account, and my wonder was that they were not continually verifying

<sup>84</sup> Hart, *Slavery and Abolition*, 337.

and warranting the distress of which they are the occasion.”<sup>85</sup> He concludes that if his northern brethren “act fraternally with the South, defend them against interference, and abstain from everything accusing and dictatorial, and leave them to manage their institution in view of their accountability to God, we may expect that African slavery will cease to be anything but a means of good to the African race.”<sup>86</sup> As for emancipation, Dr. Adams believed that it would do more harm than good. The one objection which the benign doctor found to slavery was that it loosened family ties among the negroes, but this same evil, he assures us, exists among the lower classes in all forms of society.<sup>87</sup>

Having found slavery such a beneficent institution, Dr. Adams naturally sought and discovered Scriptural sanction for it. He finds that “when the Hebrew nation was organized by the Most High, he found among the people masters and slaves. He could have purged out slaveholding by positive enactments; He could have rid the people of all slave owners by making their dead bodies fall in the wilderness. Instead of this He made slavery the subject of legislation, prescribed its duties, and protected the parties concerned in the performance of them.”<sup>88</sup> Dr. Adams held that slavery was a temporary institution which “when no longer available for good . . . will be abolished.” He commended the spirit with which the apostles treated the subject and decided that “the same God who framed the Mosaic code is evidently still at work directing His servants the apostles how to deal with slavery.” He cites the instance of Paul and Onesimus and finds that “the difference in the apostles’ way of dealing with slavery and with other evils teaches clearly that the relation is not, in their view, sinful.”<sup>89</sup> He believes that the Abolitionists are the greatest enemies to emancipation, which can be wrought only by “spiritual religion.” The Abolitionists, he says, would transform the brotherly spirit of Paul into one which would make the early Christians “watch the arrival of ships to receive a fugitive consigned by ‘the saints and faithful

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<sup>85</sup> Adams, *South-Side View of Slavery* (1854), 28.

<sup>86</sup> *Ibid.* 201.

<sup>87</sup> *Ibid.* 86 ff.

<sup>88</sup> *Ibid.* 190.

<sup>89</sup> *Ibid.* 194, 195.

brethren which are at Colosse' to the 'friends of the slave at Corinth.'" He considers "zeal against slavery one of the chief modern foes of the Bible."

Dr. Adams' views on slavery are, on the whole, too roseate for even a candid Southerner to accept and are founded rather upon the favorable reaction produced by a brief and pleasant view of slavery than upon a thoroughgoing study of the institution as a whole.

Rev. Samuel Seabury, another of the northern defenders of slavery, endeavored to meet the Abolitionists on their own ground. In his book, *American Slavery Justified by the Law of Nature*, which was published in Boston in 1861, he takes as the basis of his argument the "Higher Law" to which the Abolitionists so frequently appealed. His arguments are in many cases more ingenious than convincing. His main thesis is that slavery—not *absolute* slavery, but slavery in the *limited* form in which it exists in the United States—is not a moral wrong. His argument in proof of this view is based upon the "Law of Nature, stable, eternal, and sufficiently known to Christians whether their knowledge of it be entirely due to revelation or partly to their own reason."<sup>90</sup> From this Law of Nature spring the rights of man which are of two kinds "The first kind comprises those rights which consist of liberty to exact of others what the Law of Nature requires them to render us; the second comprise those rights which authorize us to have or do all which the Law of Nature does not forbid."<sup>91</sup> There are, he says, two relations to society, the immediate and the mediate. The immediate relation is held only by free men; the mediate relation is held through free men and is the relation occupied by women, children, and servants. Upon this conception he bases his most ardent plea for the necessity of slavery. The mediate relation must not be disturbed, for it "conduces to the material welfare and also to the prosperity of the community"<sup>92</sup> and, just as the freedom of women from masculine authority would result in an undesirable revolution in society, so the freedom of slaves would

<sup>90</sup> Seabury, *Slavery Justified by the Law of Nature*, 48.

<sup>91</sup> *Ibid.* 57.

<sup>92</sup> *Ibid.* 81.

be a curse rather than a blessing.<sup>93</sup> Family ties are indissoluble; hence the state has little power over them; the ties of slave and master are less binding, and therefore more under the control of the state. The relation, however, has grown up in the state next to the relation of parent and child, and the rights and obligations involved in it were in force before men formed themselves into political organizations. Since the bondage of woman to man existed in Paradise, bondage is a natural relation, and since the relation may be abused, and since only that which is good may be perverted, bondage is fundamentally a good relation.<sup>94</sup>

The historical origin of slavery is the next topic considered. Slavery grew out of the wants of society and was augmented by the results of wars and by the right of a man to sell his own children. At first slavery was temporary, but it later became permanent and hereditary. Slavery is, indeed, founded upon the expressed or tacit consent of the slaves, otherwise there would be insurrections, and since the relation is founded upon the consent of the slaves, the relation must be agreeable, and the foundation of the master's right must, therefore, be valid.<sup>95</sup>

The statement in the Justinian Code that slavery is "against nature" is ingeniously explained as meaning that slavery is not natural in the sense of being physically natural, but that it is natural in the sense of being hereditary, for just as the children of Arabs are Arabs, so the children of slaves are slaves. Although they may lack *civil* liberty, they have *natural* liberty, and indeed, have more than natural liberty, for they have protection, which is not included in natural liberty.<sup>96</sup>

Dr. Seabury's actual Scriptural argument for slavery is similar to that of his predecessors. The Mosaic law is again cited, as are the curse of Ham and the precepts of Paul. The fact that the negro can look forward to no year of Jubilee such as was the hope of the Hebrews is explained as being due not to the fact that he is a slave, but to the fact that he

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<sup>93</sup> *Ibid.* 89.

<sup>94</sup> *Ibid.* 86, 87, 92.

<sup>95</sup> *Ibid.* 98.

<sup>96</sup> *Ibid.* 117ff.



is an alien for whom the government of the United States was not intended.

In conclusion Dr. Seabury says: "We may assume the charge and custody of the African race in humble, reverent, and grateful conviction that in so doing we are working together with God for the accomplishment of his wise purpose."<sup>97</sup>

Some of the premises upon which Dr. Seabury bases his arguments seem unsound, and the manner in which he draws his conclusions seems illogical, but his work is undoubtedly original, and to a reader who would accept profusion of words for profundity of thought it would doubtless appear convincing.

Another writer on slavery was Bishop John Henry Hopkins, of the Episcopal Diocese of New York. In 1860 "several gentlemen of New York" requested Bishop Hopkins to express his opinion on slavery. In reply he wrote a pamphlet which was published in January 1861.<sup>98</sup> In 1863, at the request of a group of Episcopalians in Philadelphia, he published a second pamphlet on the subject. This second pamphlet elicited an indignant protest from a large number of clergymen of the Diocese of Pennsylvania. Chief among the protestants was Bishop Alonzo Potter. The result of the discussion was that in 1864 Bishop Hopkins wrote a book of forty-eight chapters, each of which is specifically addressed to his "Right Reverend Brother" Bishop Potter. The title of the volume was *A Scriptural, Ecclesiastical, and Historical View of Slavery*.

In the pamphlet Bishop Hopkins confines himself to a literal-minded and minute survey of the Biblical statements on the subject of slavery. In the book he considers also the examples and precepts of the church fathers and of the commentators, as well as the testimony of historians and men of letters. He also gives particular attention to the infidelity which was, to his mind, indissolubly connected with the abolition movement.

The biblical argument contained in the pamphlet gives foremost place to the declaration of Noah in regard to Shem

<sup>97</sup> *Ibid.*, 225.

<sup>98</sup> Hopkins, *Bible View of Slavery*, 3.

and Japeth, "Canaan shall be his servant." Further proof that slavery was divinely ordained is found in the mention of Abraham's bond servants who were "bought with a price", and the fact that Hagar was commanded to "submit herself to her mistress." Even in the Ten Commandments Bishop Hopkins finds sanction for slavery, for, "Thou shalt not covet. . . . thy neighbor's man-servant, nor his maid-servant." The separation of families is also justified by the law which gives to the Hebrew master the wife and children of a freed servant. The laws regarding the treatment of slaves and the purchase of heathen bond-servants are further proof of the divine favor which rests upon the institution.<sup>99</sup> "With this law before his eyes," says Bishop Hopkins, "what Christian can believe that the Almighty attached immorality to slavery?"

The fact that Christ did not allude to slavery is considered proof that he condoned the institution, for he had not come to destroy the law, but to fulfill it. If Christ's approval of slavery was merely negative, the apostles give positive proof of the Divine approbation which rests upon it, for Paul repeatedly exhorts servants (who were, of course, slaves, says the Bishop), to obey their masters and he was instrumental in returning Onesimus to his master, Philemon.

In regard to southern slavery Bishop Hopkins finds that "there is incomparably more mutual love than can ever be found between employer and hireling." Turning from the purely scriptural foundations of slavery, Bishop Hopkins finds that the right of liberty guaranteed under the Constitution is not, under the law of God, an inalienable right, and that the doctrine does not "harmonize with the great doctrine of the Bible that the Almighty Ruler appoints to every man his lot on earth and commands him to be thankful for his lot, and that we must submit ourselves to those who have rule over us."<sup>100</sup> His final conclusion is that "the slavery of the negro race, as maintained in the Southern States, appears to me fully authorized both in the Old and the New Testaments," and is the "only instrumentality through which the heathen

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<sup>99</sup> *Ibid.* 99-110.

<sup>100</sup> *Ibid.* 20, 28.

posterity of Ham have been raised at all" in the scale of humanity.<sup>101</sup>

Such, then, is the argument of the pamphlet. In the book, which is a response to his "Right Reverend Brother", Bishop Potter, Hopkins declares the abolition movement to be "contrary to the Bible, the Church, the Constitution, and the true interest of the colored race." He repeats his arguments in regard to the posterity of Canaan and at great length upholds his belief that the negroes are these same descendants. He justifies slavery in the South by a favorable comparison with slavery as it existed in the days of the apostles and quotes every available church authority in support of the institution. He argues against the violent methods of the abolitionists and contends that slavery will, if left to itself, die out as it did in Rome, and as villeinage did in England. He finds that slaves receive on the whole better treatment than do laborers of any other class, and that corporal punishment for slaves was sanctioned by the Levitical code. His chief argument against the abolition movement is that it is intimately associated with infidelity.

In his concluding paragraph Bishop Hopkins states that his view of slavery is "the same truth which was held from the beginning, founded on the absolute will of the Almighty and All-Wise Creator, taught by Moses and the prophets, sanctioned by the inspired apostles, and maintained by the Holy Catholic Church throughout the world even to our own day."

On the whole, Bishop Hopkins' views on slavery would have done credit to the most ardent Calvinistic believer in predestination, and, like those of Dr. Lord, they take a theoretical rather than a practical view of the question. Indeed, the arguments of the two writers are strikingly similar. It is in length rather than in depth or breadth that Bishop Hopkins excels Dr. Lord.

#### IV

In summarizing the attitude of the churches and religious leaders on the subject of slavery, we find that in the early part of the nineteenth century religious sentiment was strongly

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<sup>101</sup> *Ibid.* 39.

against the institution. As the churches grew in influence, however, and as greater numbers of slaveholders became church members, this uncompromising hostility was relaxed. About the same time theological seminaries were springing up, and the study of the Bible, with emphasis upon its verbal inspiration, was increasing; through this literal interpretation of the Scriptures the church leaders found warrant for slavery. By the time the abolition movement came into prominence in 1830, among the leaders in the defense of slavery were church members, and abolition was looked upon as a species of infidelity. As the abolition movement gained ground, however, many church members accepted its principles, but the greater proportion of the religious leaders continued to oppose it. The reason for this opposition lay chiefly in the fact that nearly all of the denominations were nation-wide in their spheres of activity, and the northern leaders feared that an acceptance of abolition would alienate the southern members. In the years between 1835 and 1845, in spite of the lack of coöperation of the churches, the abolition movement swept the North, and the division of the churches was the inevitable result. Spite of this division many prominent churchmen strove for unity and thus became confirmed in their belief that slavery was an institution founded upon biblical authority. Almost until the outcome of the Civil War had definitely settled the issue in the United States, several of these men continued active in their religious defense of slavery.

# Militia in North Carolina in Colonial and Revolutionary Times<sup>1</sup>

LUTHER LAFAYETTE GOBBEL

The fact that the white settlers in North Carolina were transplanted, as it were, from a civilized soil into a new and undeveloped country inhabited by wild beasts, strange birds, and savage Indian tribes, made necessary some organized means of protection. And as time passed, other circumstances made the need more urgent. To the south of Carolina, in Florida, were the Spaniards, who were none too friendly with their English rivals north of them. Piracy also flourished off the coast of North Carolina and added another cause for an organization for protection.

But why not have organized a standing army? In the first place, the settlers had an inherent prejudice against a standing army. In the second place, the expense attached to the maintenance of such an organization would have been too great for the settlers to bear.<sup>2</sup> The Proprietors also cared little for the safety of the people and gave nothing for their support or development.<sup>3</sup> Thirdly, the English tradition was not conducive to the establishment of a militia system. Finally, the militia system allowed the men to remain under arms for a short time during the period of war or of eminent danger, and then allowed them to return to their regular employment.

## THE MILITIA TO 1776: ORGANIZATION

Although the first charter of Carolina made no mention of a militia as such, the charters of 1663 and 1665 gave to the Proprietors the right to fortify for defense and to raise men to go against the native enemy, pirates, and robbers.<sup>4</sup> The Proprietors, then, possessed the right to call the men into service and to appoint a leader or commander-in-chief. As time went on the governor, or the president of the council in his absence, came to be commander-in-chief with duties to levy, arm, and muster all the able-bodied men, masters and servants, of the province, in order to put down insurrections and

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<sup>1</sup> This essay was written in the year 1917-18 in competition for the Southern History Prize of the Trinity College Historical Society.

<sup>2</sup> State Records XIV, 72.

<sup>3</sup> Colonial Records I, 632.

<sup>4</sup> C. R. I, 30; 111-112.

riots, to drive out the invaders, or to aid a neighboring colony in emergency.<sup>5</sup>

Likewise the Concessions of 1665 conferred on the legislature the power to build fortresses in various counties, to raise soldiers to defend the counties against rebellion, mutiny, Indians, strangers, and foreigners, and to "pursue the enemy by sea as well as by land, if need be out the limit and jurisdiction of the county with the particular consent of the governor and under the conduct of our Lieutenant-General, or commander-in-chief, or whom he shall appoint."<sup>6</sup>

The Fundamental Constitutions of 1669, framed by Locke, also made provision for some form of organized protection. We find in it provisions for an armed force which resembles closely the more modern militia. "All inhabitants and freemen of Carolina above seventeen years of age and under sixty shall be bound to bear arms and serve as soldiers whenever the Grand Council shall find it necessary."<sup>7</sup>

In none of these measures, however, was there made any provision for pay. The Proprietors cared little for the settlers and did nothing for their protection. Instead of having any definite system before 1715, there were spasmodic attempts by a few settlers, more vitally threatened, to repel the enemy at the time of attack or imminent danger; but there was no well-organized system. The first appropriation for the common defense we have any record of was made in April, 1712, when the legislature authorized an issue of £4,000 to pay for the Tuscarora War.<sup>8</sup>

The first law which gave any very full and specific provisions for the organization and direction of militia was enacted in 1715.<sup>9</sup> The Tuscarora War of 1712 and the activity of the pirates were flaring and bitter reminders of the need for organized effort against the common enemy. It took the lesson of war to pull the people together. The act referred to provided that the militia should consist of all freemen between the ages of 16 and 60 years, who were to be divided into companies commanded by captains. The captains were given two

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<sup>5</sup> C. R. III, 70, 112, 113; IV, 553.

<sup>6</sup> C. R. I, 83.

<sup>7</sup> C. R. I, 205, Art. 116.

<sup>8</sup> Ashe, *History of N. C.* I, 186; C. R. I, 837-839.

<sup>9</sup> S. R. XXIII, 29-31.

months from the time of the publication of the act to make a roll of all such men, under penalty of £5 for neglect. The lists were to be revised in October of each year, and the same penalty was to be exacted for neglect of this duty. To enforce attendance at regular musters of the men, equipped with "a good gun, well-fixed sword, and at least six charges of powder and balls," a penalty of £5, with an additional two shilling six pence for lack of accoutrement, was provided. A number of people were exempted from musters, but these had to serve in case of invasion or rebellion. Ministers of the Church of England, practicing physicians or chirurgeons, Lords Proprietors, Deputy Secretaries, attorneys, members of the General Assembly, clerks, marshals, constables, and justices of the peace were so exempted. The governor, as commander-in-chief, was given the power to call out the militia and compel attendance to go against the invading Indians. Provision was also made for the care of those injured in the service. The eighth section of this act provided that if a wounded soldier was unable to pay for his own medical attention, "if he was unable to cure himself," he might be cured by public charge, "and have one good negro man-slave purchased for him." The family of a soldier killed was also to be aided; but this provision was very general, and it is likely that the unfortunates never received much aid from the government. For disobedience to officers, soldiers were to be punished at the discretion of the captain "by tying Neck and Heels, by Running the Gauntlet, Riding the Wooden Horse," etc. A court martial was provided for the trial of cases of desertion during times of alarm. The pay which the militiamen were to get when in actual service was fixed as follows:

Colonel .....	10 shillings per diem
Lieutenant Colonel .....	9 shillings per diem
Major .....	8 shillings per diem
Captain .....	5 shillings per diem
Aid Major .....	5 shillings per diem
Lieutenant .....	3 shillings, 6 pence per diem
Ensign .....	3 shillings per diem
Sergeant .....	2 shillings per diem
Private .....	1 shilling, 6 pence per diem

No commanding officer, however, who had under him less than twenty men was to be paid more than the pay of an

ensign; those having less than forty men, the pay of a lieutenant; less than sixty men, not more than the pay of a captain; less than a hundred men, not more than the pay of a major; and the officer who had command of less than two hundred men was allowed no more than the pay of a colonel. If a soldier was unable to pay the fines incurred by non-attendance, etc., he was to be hired out at the rate of four shillings a week until the fines were paid off.

This act of 1715 remained in force until it was supplanted by the act of 1740. However it was not altogether satisfactory. The fact that the men had to provide themselves with equipment at their own expense and that when the men did serve they had difficulty in collecting the promised pay, was not conducive to the establishment of a well-organized system. Consequently in 1729, the time when the colony was transferred from the Proprietors to the Crown, we learn that "there was a militia system which provided for the organization of the able-bodied men into companies and regiments. But there were neither arms, ammunition, nor fortifications."<sup>10</sup> This situation continued through Governor Burrington's administration; in fact no acts of importance regarding the organization of the militia were passed during the period from 1729 to 1740. In *A Short Discourse on the Present State of the Colonies in America with Respect to the Interest of Great Britain*, written in 1726, we find, in a measure, the justification for this condition: "A militia in an arbitrary and tyrannical government may possibly be of some service to the Governing Power, but we learn from experience that in a free country it is of little use. The people in the plantations are so few in proportion to the lands they possess that, servants being scarce, and slaves so excessively dear, the men are generally under a necessity there to work in order to provide the common necessities of life for their families, so that they cannot spare a day's time without great loss to their interests; wherefore, a militia there will become more burthensome to the poor people than it can be in any part of Europe."<sup>11</sup>

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<sup>10</sup> C. R. III, preface, XIV.

<sup>11</sup> C. R. II, 632.



It was in 1740 that the next militia act of any importance was passed. This act changed that of 1715 only slightly. In 1746 the third militia act was passed.<sup>12</sup> It, too, differed only slightly from that of 1715 in that the period of service was fixed at four months instead of two, and the penalty on captains for failure to make the required roll of men subject to the draft was changed. The penalty on privates for non-attendance at musters was fixed at five shillings proclamation money, and two shillings eight pence additional for lack of equipment. There was also a small increase in the pay of both officers and privates. Instead of the colonels getting ten shillings a day, as the act of 1715 provided, they were now to get twelve shillings, six pence a day; instead of the privates getting one shilling, six pence a day, they now were allowed three shillings. The other men were to receive proportional increases. This act was to continue in force three years; it is rather typical of all the acts governing the organization of the militia during the colonial period.

When the act of 1746 expired in 1749, an act altering, explaining, and continuing it was passed.<sup>13</sup> The former act was thus continued for a period of five more years, with a few changes. The court martial was to be composed of one field officer, four captains, four lieutenants, three ensigns, or the majority of them, and it was not to have the authority to inflict the death penalty. Captains were to hold musters in the districts twice a year and no more. Formerly these musters were held four times a year. This evident "let up" was granted most likely because there was no particular danger immediately in sight.

The fourth inter-colonial war, or the French and Indian War, as it is more commonly called, was not foreseen. The people were suspecting nothing and "indulged in a fatal security." Peaceful conditions were not destined to last long. The shadows of a long and bloody war had to be passed through, and the militia laws had to be revised to meet the new conditions. The acts of 1756 and 1759 continued the act of 1746 with slight amendments and made provision, for

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<sup>12</sup> S. R. XXIII, 224-247.

<sup>13</sup> S. R. XXIII, 331.

the first time, for the militia to march outside the colony to the aid of its neighbors.<sup>14</sup> According to all former laws, the militia was to remain in the province as a means of local protection. After these acts were passed there still remained some question on this point. As late as 1781 the Governor included in his questions and propositions the following: "It seems to be a prevailing opinion that the militia cannot be marched beyond the limits of the State without an act of the Assembly to authorize it."<sup>15</sup>

The year 1760 was a critical time for all the colonies. The French and Indians were hammering away at the British and their few colonists, and it was absolutely necessary for North Carolina to defend herself, even if she could not send many soldiers outside of the province. The Assembly, therefore, in June, 1760, passed another militia act, which had as its preamble the following: "Whereas it requires a militia to be appointed for the Defense of the Country *at this critical Juncture*," etc.<sup>16</sup> This act retained many of the provisions of the former acts, but among the new features were provisions laying much stress on attendance at musters and making it plain whose duty it was to call out the militia in case of invasion. A penalty of ten pounds was fixed for non-attendance at musters. Each captain was to appoint a clerk to serve at musters, also three sergeants, three corporals, and a drummer. In case of insurrection or invasion the governor, or commander-in-chief *pro tem*, was given power to raise all or as much of the militia as was considered necessary. Musters were changed back again to four times a year instead of two.

The act of 1760 made possible the organization of cavalry as a branch of the militia. If from thirty to sixty men should desire to form a cavalry troop, they should be free from serving in the infantry. Each cavalryman, however, had to provide himself with "a good serviceable horse not less than fourteen hands high, with a good bridle, saddle, holsters, housings, breastplate and crupper, a case of good pistols, a good broad sword, twelve charges of powder, twelve sizeable

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<sup>14</sup> Raper, North Carolina, a Study in British Colonial Government, 173.

<sup>15</sup> C. R. XIX, 867.

<sup>16</sup> S. R. XXIII, 518-22.

bullets, a pair of shoe-boots with suitable spurs, and a carbine well-fixed, with a good belt, swivel, and bucket."

This act, moreover, also aimed at making sure that the higher officers performed their duties accurately and promptly. It ruled that any colonel failing to appear at court-martial should be fined, for every offense, five pounds; every captain, three pounds; every lieutenant and ensign, forty shillings, "unless they shall make such excuse as the said court shall judge sufficient." Officers were made free from arrest by the civil authorities in going to and from musters.

The period specified during which the above act was to be in force was six months. In the session of December, 1760, the Assembly continued and amended it.<sup>17</sup> The amendments were that there was to be one general muster and three private musters a year for the companies, and majors were made liable to the same fines for failure to perform their duties as were the colonels for failure to perform theirs. The act was to continue in force for two years.

In 1762 it was necessary, on account of the time limit of the act of 1760, to take up in the Assembly the militia question again. The act of 1760 was, therefore, revised and continued for a period of one year.<sup>18</sup> Among the few changes possibly the most noteworthy was the addition of coroners and constables to the list of those exempted from attendance at musters.

The act of 1764 extended the exemptions to school masters who had at least ten pupils, to overseers of public roads, and to pilots on the rivers.<sup>19</sup>

The act of 1768 is worthy of rather careful examination. After specifying that all freemen between 16 and 60 were to be enrolled, it summed up and gave a complete list of all classes of people exempted.<sup>20</sup> They were members of his Majesty's Council, members of the Assembly, Ministers of the Church of England, Presbyterian Ministers, Justices of the Superior Court, Secretary of the Province, practicing attorneys, persons having previously ranked as high as captain, com-

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<sup>17</sup> S. R. XXIII, 535.

<sup>18</sup> S. R. XXIII, 535.

<sup>19</sup> S. R. XXIII, 596-601.

<sup>20</sup> Davis, *Revisal*, 434.

missioned officers, Justices of the Peace, physicians and surgeons, schoolmasters of ten pupils, ferrymen, overseers of six taxable slaves, inspectors, public millers, coroners, constables, overseers of public works, searchers, branch pilots.

Another noteworthy provision is that which says that all overseers of as many as six slaves were to be fined if seen at the musters. It is very probable that this provision was made in order to keep the overseers on the job so as to prevent slave insurrections or the loss of production. A heavy penalty was required of those failing to respond to a call or alarm. The pay was the same as that provided in the act of 1746 with a few exceptions: the pay of captains and adjutants was changed from seven shillings to seven shillings, six pence, and the pay of privates was reduced from three shillings to two shillings a day. Eight pence a day, however, was allowed to the commanding officer for victualizing each man in the service. A general muster was to be held each year at the court house in each county, and a court-martial was to be held there to pass on claims for exemption, on neglect and omission, and appeals from treatment received by captains. Ferry fees were not to be charged to any one attending a muster, and the act was to be in force for five years and no longer.

In 1770, however, an amendment was made.<sup>21</sup> The preamble reads: "Whereas there are in divers parts of this province several people called Quakers, who demean themselves in a quiet and peaceable manner, and from religious principal, are conscientiously scrupulous of bearing arms," etc. It was then enacted that such were not obliged to muster but had to be enlisted under a captain and, in case of insurrection, they were forced to serve or furnish a substitute or pay a penalty of ten pounds. This was the first exemption granted the Quakers, and it brought forth from them expression of thanks.<sup>22</sup> They attempted to make it plain that they were patriotic and not slackers, but that they had suffered in their consciences by the former requirement made of them.

In 1774 the acts of 1768 and 1770 were re-enacted, with a few minor changes.<sup>23</sup> The act of 1774 was to be in force for

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<sup>21</sup> Davis' Revisal, 455.

<sup>22</sup> C. R. IX, 176-7.

<sup>23</sup> S. R. XXIII, 940-5.

one year and no longer. The seeds of the Revolutionary War were now putting forth and soon a new era opened in the life and history of the militia. Before taking up the discussion of the militia during the Revolution, however, let us consider the

### MILITIA IN ACTION

The militia was employed before the Revolution, generally speaking, in three kinds of service, classified according to the interest served. The militia was primarily an organization for self-defense, and it was used more for this purpose than for any other. It was also used to assist neighboring provinces, and, finally, it was employed to assist the British cause in America.

The militia before 1715 was practically impotent in so far as both organization and operation were concerned.<sup>24</sup> As has been pointed out, the charters of 1663 and 1665 and the Fundamental Constitutions of 1669 gave to the Proprietors the right to fortify and organize for defense. But, as was also pointed out, on account of the weakness and incompetency of many of the governors, the lack of interest on the part of the Proprietors themselves, and the absence of an invasion or insurrection which should demonstrate the necessity for united effort, mustering and drilling were neglected and were practically unknown.<sup>25</sup> Internal strife during the Culpepper and Carey rebellions was so great that patriotism ran low.<sup>26</sup> When the Tuscarora War broke out in 1712 the province was utterly unprepared. In spite of the fact that only about twelve hundred Tuscaroras were fighting men, they would have completely destroyed the colony if it had not been for the timely and unselfish aid given by South Carolina. As Dr. Hawks says: "the whites, suspecting nothing, indulged in a fatal security."<sup>27</sup> Governor Hyde said that "factions and the fact that nearly one half of the people were Quakers made it impossible to raise one-half as many troops as there were Indians in arms."<sup>28</sup>

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<sup>24</sup> C. R. I, 886; Raper, *North Carolina, A Study in English Colonial Government*, 170.

<sup>25</sup> C. R. II, 632-3; Raper, 171.

<sup>26</sup> Raper 171.

<sup>27</sup> Hawks, *History of North Carolina*, Vol. II, 528.

<sup>28</sup> Hawks, Vol. II, 528.

Virginia was first appealed to by North Carolina, and Governor Spotswood took the question before the Assembly of that colony. Virginia agreed to aid North Carolina on condition that a claim on certain territory be given as security. Considering this unfair, North Carolina appealed to South Carolina for aid. Temporary forts were created along the Neuse and Pamlico rivers and along the south and southwest shores of the Chowan. The residue of the militia was held awaiting aid from South Carolina. The result of the first battle was such as to cause the governor and council to convey thanks to Barnwell of the South Carolina militia and to draw up resolutions, which were in part as follows: "that at least two hundred men should be raised for four months service, to act with the South Carolina troops, and that for the subsistence of the whole army magazines of supply should be established where Barnwell might direct, on Neuse and Pamlico rivers."<sup>29</sup> This resolution amounted to little more than to proclaim a very high appreciation for Barnwell's service, for the Proprietors did nothing to aid in the support of the troops.

The operations of the pirates off the coast of North Carolina became so bold by 1713 that the people were forced to give greater respect and attention to the militia and to the common defense it afforded. Old Teach, or Blackbeard, and others of his type were doing their brazen deeds of robbery and murder at this time. In 1715 the demand for, and willingness to coöperate with and support, a militia system had become so great that the act of 1715 was passed, the provisions of which have already been discussed.

In 1715 the militia had its first opportunity to serve a neighbor and to repay South Carolina for saving the colony in 1712. In that year the Yamassee, that tribe of Indians which supported North Carolina and South Carolina against the Tuscaroras, turned on the South Carolinians. To assist South Carolina in putting down the Yamassee, Colonel Maurice Moore and Colonel Theophilus Hastings were put in charge of a number of companies of militia and were sent to South Carolina.

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<sup>29</sup> Hawks, II, 528.

For several years after the passage of the act of 1715, on account of the fear of another Indian uprising, caused by the bloody loss by the Indian Massacre and the Tuscarora War, musters and drills were held regularly. But the Tuscaroras soon moved to New York and the provisions of the act were then relaxed. There was a drift into the old rut of carelessness. The chief fault of the whole system is thus demonstrated. Emergency revealed unpreparedness and caused action, in time to be "too late." Strict vigilance was then kept for a period; finally the scare passed away, and the system fell into decay.

The next emergency finds another instance of unpreparedness. At the time of the transfer of the province from the Lords Proprietors to the Crown in 1729 there existed the old neglected system; there were neither arms, ammunition, nor fortifications.<sup>30</sup> There was very little or no use made of the militia between the years 1715-40, and during Governor Burrington's administration, from 1729 to 1734, the militia fell into decay, and there were no militia acts passed. Then in 1740 came the first call for the use of the militia to serve the mother country. The cause was not altogether altruistic, for it was to the interest of the colonies to defeat the Spaniards. Consequently, when Governor Johnston, in carrying out his instructions from the crown to raise troops, called a special session of the Assembly, his request found a quick response. An appropriation of £12,000 was made to support the levies, and three companies of one hundred men each were raised in the northern counties. Others would have served if provisions had been made for them.<sup>31</sup> These three companies served in the West Indies, and only a few of the men returned. Captain Innes, however, who commanded one company, won such distinction that in 1756 he was made commander-in-chief of the Virginia forces against the French and Indians.<sup>32</sup> The Spaniards did not allow the operations to be confined around the West Indies, but from 1741 to 1748 frequent invasions on the coast were made. The absence of forts made it more imperative to have strong forces of militia to drive back the in-

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<sup>30</sup> C. R. III, XIV.

<sup>31</sup> Ashe, *A History of North Carolina*, I, 260-1.

<sup>32</sup> *Ibid.* 261.

vaders, who insisted on landing, destroying and carrying off goods and cattle. In 1741 Spanish privateers took possession of Ocracoke Inlet. Eventually they were driven away, but not until their depredations had cost the people over £10,000.<sup>33</sup>

In 1744 the Spanish privateers again harassed the coast and in August, 1747, boldly entered the harbor at Beaufort. Major Enoch Ward hastily gathered some militia and held them at bay until August 26, when the town was surrendered to the Spaniards. Finally, the Spaniards were driven away, but not for good, for the attacks continued to September 10, 1748. On September 4, militia companies were hurried to the scene to check the Spaniards, who were reported to be coming up the river. For four days, September 6 to 10, the Spaniards had possession of Brunswick; hostilities were raging. On September 10, the militia under Major John Swann, Captains William Dry, John Ashe, and John Sampson won out.<sup>34</sup>

The next use made of the militia was in defending the western frontier and sending aid to Virginia against the French and Indians. The French held Canada and Louisiana and were ambitiously desirous of connecting these possessions by taking the rich Ohio valley. They consequently stirred up the Indians where possible and they did not have a very hard task and set about to accomplish their purpose. Virginia was attacked in 1754 and was being hard pressed. The Crown therefore called on Governor Dobbs, who responded promptly to the request. The military strength of the province in 1754 was about 15,000 infantry, 400 mounted men, 1,000 exempt from muster, and about 1,500 not enrolled. There were 22 counties, in each of which President Rowan had formed a regiment of infantry, "the militia having fallen much to decay during the administration of Governor Johnston."<sup>35</sup> In September, 1754, the legislature acted promptly and voted £12,000 to equip a regiment of 750 men to go to Virginia, "the first troops raised by any British colony in America to fight outside of its own borders in behalf of a common cause." The number was fixed at 750, under the

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<sup>33</sup> *Ibid.* 270.

<sup>34</sup> *Ibid.* 271; S. R. XXII, 263-286.

<sup>35</sup> C. R., V. pp. XLI, 123-4.



impression that North Carolina would not have to support them after they arrived in Virginia. But finding every province would have to finance its own troops, North Carolina reduced the number to three hundred men, which was still one hundred and fifty more than Virginia had raised, in spite of the fact that it was Virginia soil that was invaded and in spite of the additional fact that Virginia had more than three times the number of whites as had North Carolina. On account of the scarcity of gold, silver, and English money in the province, and also the fact that the paper money of the province was not current outside its limits, beef cattle and hogs were driven to the troops and were also sold on the local market for hard money to be used by the troops. Other ways of providing for the soldiers were to send dressed pork to Virginia and to ship goods to the West Indies and sell them for bills of exchange on New York. "The contributions on the part of North Carolina to the common defense in view of her scant resources were perhaps more generous than wise and were certainly out of proportion to the contributions of other colonies. Governor Dobbs said North Carolina 'could not be expected to defend the western frontier, assist the other colonies, and also maintain an independent force to defend the forts and protect the navigation of the colony.' Yet this is precisely what she did."<sup>36</sup> Colonel Innes, of North Carolina, was put in command, but on account of the fact that his men were not over one-half as many in number as were the enemy, and of the fact that the Assembly made no appropriations, the expedition was unceremoniously abandoned. Colonel Innes was then notified that he had been superseded.

Although the militia, on account of the lack of adequate supplies, did not do much outside the colony, it found plenty to do at home from 1757 to 1763 in holding in check the Catawbas and Cherokees. In 1757 the insults and depredations of the Catawbas had reached such a stage that Governor Dobbs reported the situation to the Superior Court in session at Salisbury at that time. The Cherokees, too, came to be so annoying that in May, 1758 the people of Rowan County sent a petition to the legislature stating that the Indians were

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<sup>36</sup> C. R., V, p. XII.

becoming so murderous that the people near the forks of the Yadkin were leaving the settlement.<sup>37</sup> On May 10, 1759 Governor Dobbs informed the Assembly that an express from the western part of the frontier had come to him telling of the murders by the Cherokees, and he asked for advice as to the best and quickest way to protect the people. He also appealed to the Assembly for power to pay workmen to build forts and arms. He was referred to the militia laws in existence and was informed that they fully authorized him to use the militia against the enemy.<sup>38</sup> Soon "Major Waddell was given two companies of provincials to protect the frontier and a commission as colonel with authority to order out and command the militia regiments of Anson, Rowan, and Orange if the Indians should continue their incursions."<sup>39</sup> In a response to a call from the Board of Trade, Governor Dobbs called on the commanding officers of the militia for return of the numbers mustered, how armed and trained, but his call was not readily complied with. In his report back to the Board of Trade he said: ". . . the militia officers are so defective that I can give no satisfactory account, but from the former year's return; for as I obtained a law to draught men out of the unmarried men in the militia to make up our Companies, they did not attend the musters when summoned, so that of the Regiments returned they are far short of the former year's, this was to avoid being draughted. They are all indolent and relaxed by not having the Laws executed that they won't submit to Government; but fly to the swamps and are concealed by their friends and neighbors. . . . As to their arms, they are not near half-armed, etc."<sup>40</sup>

It is not known whether the Governor called out the militia against the Indians before the fall of 1759 or not, but, using the provision added to the laws in 1756, he did order, with the consent of the Council, Colonel Waddell to call out the Anson, Rowan, and Orange militias to aid Governor Lyttleton of South Carolina in his rather ambitious attempt to conduct in person an expedition against the Cherokees. The Leg-

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<sup>37</sup> C. R., V., p. L, et seq.

<sup>38</sup> *Ibid.*

<sup>39</sup> *Ibid.*

<sup>40</sup> C. R., V., 571.

islature voted £5,300 for two companies of one hundred men each.<sup>41</sup> The colonels of the militia at Edenton and Newbern held their regiments in readiness for service. Along with a number of provincials 500 militia, who had been drafted for the purpose, were ordered under Colonel Waddell to go to South Carolina. In spite of the provision of the law of 1756, many refused to go outside the province. Colonel Waddell proceeded with what he had, until ordered back by Governor Lyttleton. On October 26, 1759 a treaty was made with the Cherokees. It amounted to very little, however, and South Carolina was left with the bag to hold. The Indians continued their ravages. On February 27, 1760 a party of Indians attacked Fort Dobbs, which was at that time in charge of Colonel Waddell. The Indians were bested and they left the vicinity. Leaving the vicinity did not mean an end of the war, for in 1761 a general co-ordinated campaign in which Virginia and both of the Carolinas were to take part was planned. This campaign, in which both provincials and regulars engaged, resulted in the defeat of the Indians and the end of the bloody war.<sup>42</sup>

The result was, of course, a relief to the colony, for as Governor Dobbs wrote in 1761, immigration to North Carolina had stopped for seven years back. Not only had immigration stopped, but many of the settlers between the Yadkin and Catawba rivers had abandoned their homes.

The next urgent need for the militia came with the War of the Regulation. This war put the organization to the test, and the test was not altogether successful. On account of the nature of the war, the system could hardly work. Some who were enlisted in the militia agreed to turn out against the Regulators, but there were also many who supported the Regulators. A letter from Governor Tryon to the Earl of Hillsborough in 1771 is, in part, as follows: "The returns I acquired from the commanding officers of the several regiments of the militia, of such as were willing to turn out in deference to their king and country, were in many counties unanimous in support of that glorious cause and through the whole

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<sup>41</sup> C. R. V., p. L., et seq.

<sup>42</sup> C. R. V., p. LIV.

country very favorable on the side of the government."<sup>43</sup> The unanimity of the support was not very deep-seated or far-reaching, for the legislature resorted to the offering of bounties.

### THE MILITIA DURING THE REVOLUTION

It was during the Revolution that the real strength of the militia as a fighting machine was thoroughly tested. Previously the use to which the militia had been put was mainly that of frequent short expeditions against a tribe of pestiferous Indians, against a band of insurgents at home, or to the aid of a neighboring province in distress. Now comes the long struggle in which were engaged on the one side a well organized power, and on the other a loose, central government, aided by the militia of the different states. It is our purpose to examine the acts regulating the militia during this period, note the changes, determine, if possible, what caused the changes, and note the service rendered by the North Carolina militia to the common cause.

The fact that the people were accustomed to look to the provincial governments for political authority and had little or no love for a central power and the fact that there was an inherited dislike for a standing army, put the greater part of the burden of the battles on the shoulders of the state militia. Of the 200,000 men of military age in the country in 1777, there were only about 4,000 in Washington's army.<sup>44</sup> His hopes lay, therefore, largely on the militia, but the experience with the militia in the French and Indian War was worth little, for in that war the men fought in small groups where, as Pickering said, "no other discipline was necessary than being good marksmen and dexterous in skulking behind trees and bushes."<sup>45</sup> Battle conditions against the British were different.

The outbreak of the Revolution found the North Carolina militia fairly well organized. The War of the Regulation had stimulated the legislature to action in behalf of the system. "How well organized the militia forces were will appear from the fact that before the close of the year (1775)

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<sup>43</sup> C. R. VIII, 495.

<sup>44</sup> Bassett, *A Short History of the United States*, 193.

<sup>45</sup> Hatch, *The Administration of the American Revolutionary Army*, 3.

Colonel Howe, with a part of the regulars, was sent to aid Virginia against the British at Norfolk, a body of 700 militia under Colonels Polk and Rutherford, and 220 regulars under Colonel Martin, were ordered to South Carolina to suppress a Tory uprising."<sup>46</sup>

The first real test came in 1776. In that year the militia was reorganized and brigaded according to the judicial districts, the Brigadiers being Vail, Caswell, Ashe, Person, Rutherford, and Allen Jones. The Provincial Congress which met at Hillsborough on August 10, 1775, passed resolutions (September 7, 1775 and May 4, 1776) which provided for minute men and militia.<sup>47</sup> The province was divided, as indicated above, into six districts, in each of which a brigade of militia was to be raised. The militia of each county was to be composed of all effective men between 16 and 60 years of age, formed into one regiment, which was to be divided into companies of not less than fifty, rank and file. Each company was to be divided into five divisions; one division was to be made up of the aged and infirm men, and the others of men who should draw lots for first, second, third, and fourth turns to go into service. Mustering was to be at least once a month instead of twice or four times a year.

Under the first test the reorganized militia proved effective. The Provincial Congress had also organized Committees of Safety in the different counties, with power to call out certain parts of the militia. Consequently when the Loyalists began to create their disturbances, the militia was called out, and at the battle of Moore's Creek, February 27, 1776, 1,000 militia under command of Richard Caswell defeated the Loyalists and put new hope in the hearts of the revolutionists. Later, on May 4, 1776, the Provincial Congress drafted 1,500 men for a period of service of three months, to ward off a threatened attack by the British and to go at once to Wilmington. Frequent occasions demanded the service of the militia to put down the Loyalists and prevent them from joining Governor Martin.<sup>47</sup>

<sup>46</sup> Davis, *North Carolina and the Revolution* (South Atlantic Quarterly, II, 320).

<sup>47</sup> C. R. X, 196-9; 560-4.

<sup>47</sup> King, *Military Organization of North Carolina during American Revolution*, N. C. Booklet, Vol. VIII, 45; C. R. X, 761, 400, *passim*.

The year 1777 was an eventful one for the militia of the state. A force was kept at Charleston under General Jones until the middle of the summer. About 2,000 under General Rutherford were employed in subjugating the Indians in the western part of the state. On December 5, 1777 the militia companies stationed on the coast and the frontier were discharged, and in their stead were created a special company of Rangers to warn the militia of signs of Indian uprisings.

An act was passed by the legislature early in this year and was amended at a later session. This act was very similar to that passed by the Provincial Congress in 1776. The militia was again divided into six brigades, one in each of the districts of Edenton, Newbern, Wilmington, Halifax, Salisbury, and Hillsborough, and each brigade was to be in charge of a brigadier general, and to be composed of men from 16 to 50, not 16 to 60, as in 1776. The men in the brigades were to be formed into one or more regiments depending on the number of available men in the district, each regiment under the command of a colonel, lieutenant colonel, and two majors. Every regiment was divided into companies of fifty rank and file, at least, officered by two sergeants, two corporals, one drummer, and one fifer. The commissioned officers in charge of the companies were a captain, a lieutenant, and an ensign. Each company was in turn divided into four divisions, who should draw lots for first, second, third, and fourth turns to go into service, and they were to be numbered according to such lots.<sup>48</sup>

The law also provided that the commanding officer of every regiment, when requested by the brigadier general, should order a general muster at the most convenient place for his regiment, under penalty of twenty-five pounds for neglect, provided he did not call for a muster more than twice in one year. Every captain had to muster his own company every month and oftener, if ordered by the commanding officer, under penalty of five pounds for failure. Every soldier refusing or neglecting to attend should forfeit ten shillings. The law required each brigadier general to return an exact roll of all officers and soldiers of his brigade, arranged in

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<sup>48</sup> S. R. XXIV, 1-3.

their proper companies and divisions, to the governor, once every year, under penalty of one hundred pounds for failure. Each militiaman, moreover, had to furnish himself with a good gun, shot-bag, and powder-horn, and a cutlass or tomahawk, under penalty of two shillings and six pence for default. In case any should be unable to pay for his equipment, the county from which he came was required to provide it for him.

When the militia was called into service, there were to be one wagon and two carts for every company, two horses and one cart for a brigadier general, one baggage cart and two horses for the field officers of each regiment, ammunition and wagons at the direction of the brigadier general, the same rations as for the continental army, one bell tent for each company, entrenching tools, six axes, and a supply of camp kettles.

The old provisions that militiamen were to be tried by court martial only was retained. In order that the state might keep close touch with and command over its militia, it was enacted that when the militia was joined with the continental forces, the highest in command should be a militiaman.<sup>49</sup> The list of those exempted from attendance at musters was comparatively small when compared with the succeeding acts. Those exempted were members of the Council of State, Public Secretary, justices of the peace, ministers of some church regularly settled and having care of souls, and continental post masters. In order to collect the penalties provided in the act, the sheriffs of the counties were ordered to sell, if necessary, the offender's goods and chattels.

At a later session of the legislature during the same year, the above act was re-enacted and amended.<sup>50</sup> Among the amendments was one requiring the brigadier general to send his roll to the governor twice a year instead of once, one providing for a quartermaster for every brigade, and one adding to the list of men exempted justices of the Superior Court, the Attorney General, the Treasurer of the Loan Office,

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<sup>49</sup> S. R. XVI, preface, pp. VI-VII.

<sup>50</sup> S. R. XXIV, 113-9.

clerks of the court, entry takers, and surveyors. The salaries were fixed at the same rate as that of 1776.

In 1778 another act to establish a militia was passed.<sup>51</sup> The principal changes were:

(1) Quakers, Menonists, Dunkards, and Moravians were, for the first time, exempted from the service.

(2) Heavy penalties for failure on the part of officers to furnish muster rolls to their superiors were fixed. A forfeiture of fifty pounds was required of captains failing to furnish muster rolls to the commanding officer of their regiments and a penalty of two hundred and fifty pounds was required of the commanding officers failing to furnish an exact return of such lists to the brigadier general; and if the brigadier general failed to send the list on to the governor, he was required to forfeit five hundred pounds.

(3) A great increase in salary was made, although it was possibly not so great as the figures would indicate, for money was decreasing in value. The comparative rates per diem for 1776 and 1778 are:

	1776	1778
Brigadier General .....	1 pound 12 shillings	5 pounds
Colonel .....	12 shillings 6 pence..	40 shillings
Lieutenant Colonel .....	10 shillings .....	36 shillings
Major .....	10 shillings .....	36 shillings
Captain .....	7 shillings 6 pence .	28 shillings
Lieutenant .....	5 shillings .....	24 shillings
Surgeon .....	5 shillings .....	36 shillings
Adjutant .....	7 shillings 6 pence .	24 shillings
Ensign .....	4 shillings 6 pence .	20 shillings
Sergeant .....	4 shillings .....	12 shillings
Corporals, drummers, fifers .....	3 shillings .....	10 shillings
Rank and file .....	2 shillings 6 pence .	8 shillings

Non-commissioned officers and privates were, according to the act of 1778, to receive a bounty of \$20 a month when on actual duty. The quartermaster was allowed a captain's pay and rations.

In 1780 the act of 1778 was amended.<sup>52</sup> There had developed a great deal of dissatisfaction with the old organiza-

<sup>51</sup> S. R. XXIV, 190-8.

<sup>52</sup> S. R. XXV, 335, et seq.



tion and desertions were rather common. Consequently there was a revision. It was sought to make the act more stringent and at the same time less burdensome to bear. One of the changes was to provide that for every person legally drafted or turned out as a volunteer, who failed to appear at the place of rendezvous or to find a substitute, the colonel was to hire a substitute and issue a warrant directed to the sheriff or constable of the delinquent's county, who should levy the sum on the delinquent's goods and chattels, land and tenements, and sell them. If there should be a greater amount derived from the sale than was necessary to pay for the substitute, it was to be turned over to the owner. If he did not have enough property, he was to be held a continental soldier for one year or for the period of the war. In order to make the system more just and to decrease dissatisfaction, it was provided that all who had served one year in the continental army should not be liable to be drafted until the whole of the company to which he might belong should have performed its service. And it was also provided that all who volunteered to go into South Carolina were to receive the same pay and bounty as the militia of the state, and be exempt in the same manner as the others who served three months. Evidently those hiring substitutes had been employing Indians, slaves, etc., for this act of 1780 provided that no Frenchman, Spaniard, British deserter, Hessian deserter, Indian, or slave should be accepted as substitutes. A rather stringent section of the act is that which ordered all commissioned officers who failed to serve, that is, to report at the rendezvous, to be put into ranks and to be thereafter incapable of holding office in the state. Another section was practically as strict, for it provided that the colonel or commanding officer who should fail to call a general muster at the proper time should pay £1,000. For like offense on the part of captains, £500 was required; for non-commissioned officers, £20; and for privates, £10. In order that none should be punished unjustly, there was established a sort of exemption board; the field officers and captains were required to hold "a court of inquiry of infirmities and inabilities."

This was the general organization. In 1781, however, a special act was passed drafting the militia to re-enforce the Southern Army.<sup>53</sup> To help General Greene, who was commander of this Southern Army, the legislature passed a law for the government to issue orders to the commanding officers in the district of Salisbury to form the militia already drafted, and of the district of Hillsboro to draft five hundred men, armed and equipped. These men were to serve under the same discipline as the continental troops and to receive the same pay as the other militiamen in service. They were compelled to serve no longer than three months. The government was empowered to order out men not exceeding four thousand in number. Governor Burke complained of this act in that it limited the number to be called out to four thousand.<sup>54</sup> He said that it would not be enough for both aiding the sister state and defending North Carolina. He complained likewise of the fact that the law required him as governor to consult the council in the disposition of the troops. The governor's message brought no alteration or explanation of this provision, and the governor was left to chafe. Governor Burke also attempted to have changed the law which provided for the trial of officers in the militia.<sup>55</sup> A whole squadron of Light Horse, under the command of Colonel Guilford Dudley, with the exception of one man, turned traitors. The governor took this opportunity to point out the anomaly of the law which required that officers composing the court martial should all be of the same regiment as the offender, for in this case all the officers were offenders. The governor contended that such cases might happen more than once. The general militia act of this year was strikingly similar to that of 1780.<sup>56</sup>

#### DISSATISFACTION WITH MILITIA

During the Revolution criticism of the militia organization came from two sources. The system was unsatisfactory from the standpoint of the men serving under it and of the cause it intended to promote.

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<sup>53</sup> S. R. XXIV, 44-5.

<sup>54</sup> S. R. XXIV, 1038.

<sup>55</sup> S. R. XXIV, 1039-40.

<sup>56</sup> S. R. XXIV, 358-67.

Dissatisfaction on the part of those in service was shown clearly, if not typically, by the address from the Rowan militia officers to the General Assembly in 1778.<sup>57</sup> Its main contention was that regulars and not the militia should be used, because the militia service was a great hindrance to tillage. The period for which one had to serve was usually three months, and this three months might fall just at that time of the year when the men called out were most needed on their farms. The second argument was that the regulars could give better service. They could be better trained and would not be peeved by the realization that their crops back at home were going to waste and their families possibly suffering. Then, too, the attempt to blend the militia with the continentals caused trouble.<sup>58</sup> The question as to who should be in command came up, and there were quarrels.<sup>59</sup> The militia officers held out for the privilege of commanding their own organizations and were indisposed to put the militia under continental officers. The legislature, therefore, passed an act providing that the ranking officer in such cases should be a militia officer.<sup>60</sup> The practice was to designate the number to be called out from the several counties, who were to serve for sixty or ninety days as the circumstances seemed to require. The result was that the militia was constantly being changed, the time for which the men were to serve was constantly expiring, and the efficiency was disastrously affected. It was practically impossible to determine the number of men available in the future.

Deserters, moreover, were not a few. The sympathy with the Loyalists, the lack of sufficient amount of equipment, and their own bad crop conditions back at home were mainly responsible. At any rate, the state had to pass a law for the apprehension of deserters.<sup>61</sup> Desertions were so common that apprehension of deserters provided a paying business for at least one man, Thomas Amis, of Bladen, who was allowed £120 for the apprehension of nineteen deserters. In not all sections of the state, however, were there men who would ap-

<sup>57</sup> S. R. XIII, 389-90.

<sup>58</sup> S. R. XIV, 425-6; 435, 117, 642.

<sup>59</sup> S. R. XVI, preface, pp. VI-VII.

<sup>60</sup> *Ibid.* S. R. XV, preface, pp. XIII-XIV.

<sup>61</sup> Davis, N. C. and the Revolution (South Atlantic Quarterly, Vol. II, 321).

prehend deserters; some sections rather harbored them. In 1779, along the borders of Edgecombe, Nash, and Johnston counties, deserters flourished. They went so far as to draw up articles of association whereby they vowed to prevent the militia from being drafted. A reign of lawlessness was inaugurated.<sup>62</sup>

On August 15, 1780, Colonel Porterfield wrote to Major General Gates in part as follows: "I have not more than eighty of the militia now with me, and I expect more of them will desert this day. I met five on their way as I came down."<sup>63</sup> About the same time General Edward Stevens wrote to Major General Gates: "The most of the militia that deserted I believe will return of themselves, and those who do not will be apprehended. They are to be put under command of the same field officers and myself, to serve out the eight months." Then, too, frequently the men failed to respond when called to serve in the militia. On August 7, 1779 Brigadier General Allen Jones wrote to Governor Caswell: "I directed a draft of the militia at Halifax the first day of this month, at which time, I am sorry to inform you, but few appeared."<sup>64</sup> Then on June 6, 1780, General Richard Caswell wrote to Governor Nash: "I am really distressed at the militia's coming in so slowly. Only a few from Jones and Dobbs are yet arrived."<sup>65</sup> William Brown, a militia officer, wrote to Governor Nash June 13, 1780: "By Captain Williams you have the return of the volunteers and drafted men in obedience to your orders. I should have sent them earlier but was ashamed, the number being so small that appeared on the first day intended for their marching, and am so sorry to find, after losing so much time, that I am necessitated to show the tardiness of my country."<sup>66</sup>

The western counties were more prompt in their response than were the eastern counties. The Board of War wrote to Governor Nash as follows: "The Board hears little of the second drafts from Edenton and Newbern districts. About two hundred with the refugees have only joined General Gregory, a number far inadequate to their proportion. The

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<sup>62</sup> S. R. XIV, preface, pp. IX-X; S. R., XIV, 319, 169-70.

<sup>63</sup> S. R. XIV, 558.

<sup>64</sup> S. R. XIV, 188-2.

<sup>65</sup> S. R. XIV, 841-2.

<sup>66</sup> S. R. XIV, 851.

Board recommends that your Excellency would please to call upon the commanding officer in the counties of those districts for their respective quotas already drafted; that they have them marched on immediately, and serve out their time agreeable to the Resolve of the General Assembly. This force, when joined with General Sumner, would be respectable, and would relieve in a great measure the Western Militia, who are doing constant duty; should your Excellency's commands not have their effect, the Board will be under the necessity of applying to you for another aid of militia from those districts." In fact, several counties of the east joined the British toward the close of the war.<sup>67</sup> Governor Caswell, writing to Governor Burke on August 20, 1781, said: "Most of the inhabitants below this (Neuse and Trent Rivers) will be exceeding fond of becoming British subjects, and most of the inhabitants of Beaufort and Hyde Counties to the north of Newbern will join them. Our whole force that can be collected from this part of the country will be from Pitt, Wayne, and Johnston."

The militia system was also unsatisfactory to the cause served. First, the militiamen were allowed to hire substitutes. It was recognized that continentals were better soldiers than were the militiamen, and it was allowed that any ten men of the militia who had furnished one continental recruit to serve for eighteen months should themselves be exempt from all militia service for a period of eighteen months, except in case of actual invasion or insurrection.<sup>68</sup> By this means it was hoped to recruit two thousand by July, 1779, but only six hundred were raised, and in July Governor Caswell was obliged to call on the districts for their regular quotas. This system of exempting by substitution had a disastrous disorganizing effect, for some of the officers availed themselves of this opportunity to escape service.<sup>69</sup> It is easy to see, then, that without the service of the trained officers the military organization suffered severely. Governor Caswell received from Brigadier Allen Jones a letter written August 7, 1779, which read in part as follows: "So many officers have re-

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<sup>67</sup> S. R. XIV, 416-7.

<sup>68</sup> S. R. XIV, Preface, pp. IX-X.

<sup>69</sup> S. R. XIV, 188.

signed and bought men in the eighteen month's service that the duty of raising the men is exceedingly difficult, one-half of the companies being without commissioned officers."<sup>70</sup>

Another very unsatisfactory feature was the fact that the term of service was too short. Three months was the usual term. The commanding officer had to discharge the men as soon as the three months expired and fill up as soon as possible with recruits. Men thus serving their terms were disbanded by the governor with the advice of the Board. An example is the following order of Governor Caswell to Commanding Officer Staterget, June 7, 1779: "The commanding officer of the State Regiment is required to discharge the militiamen under his command, as soon as they have respectively served three months, and give the earliest intelligence of such discharge that their places may be supplied." Consequently, by the time the recruit reached the place in his military career where he was most needed and where he could do the best service, frequently his term expired and he went home, leaving the battle to be fought by recruits. Such was the case just before the battle of Guilford Court House. Complaints were made by the officers of the shortness of the term. In a letter to Governor Burke, Brigadier General Allen Jones said, in part: "The short enlistments or drafts are destructive wherever admitted. Heaven grant our Assembly may see the folly of the measure and avoid it for the future even in drawing out the militia."<sup>71</sup> Another evidence of dissatisfaction on this point is the following extract from a letter of Colonel William R. Davie to Governor Caswell, August 29, 1780: "The number of the militia in camp have been so fluctuating that nothing could be done. Last Saturday with some difficulty, a command of one hundred horses was made up. . . . The North Carolina Militia are now reduced to three hundred in number. . . . They talk of reinforcements from town, but God knows whether they are serious or not. The militia in lump are quite inconsiderable; frightened, too, and irresolute—one day in camp, another away to serve their property—so that one half will undoubtedly vanish upon the

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<sup>70</sup> S. R. XIV, 188.

<sup>71</sup> S. R. XV, 515.

approach of the enemy. The counties of Rowan and Mecklenburg are rich in provisions and strong in men, staunch, numerous, and spirited, if they were only managed to take the field by timely assistance."<sup>72</sup>

For a general summary of the condition of the militia in this period we have the following excerpts from Governor Burke's message to the General Assembly, June 9, 1781: "I perceive the country, everywhere, unprepared for defense, without arms, without discipline, without arrangements, even the habits of civil order, and obedience to laws, changed into a licentious contempt of authority, and a disorderly indulgence of violent propensities. . . . The militia in its present state is very inadequate to defensive or offensive operations, and yet, a burden almost insupportable to the people."<sup>73</sup> His recommendation was that a small standing army, with provisions for reinforcements when needed, be organized. Governor Burke's message was based largely, possibly, on reports which came in to him from the different parts of the state. A month later Samuel Strudwick wrote and complained of the licentiousness both of the regulars and the militiamen, and of their ravages and plunders.<sup>74</sup> Another evidence of their depredations is a letter written from Wilmington December 19, 1781: "A small body of militia is stationed here, under the command of Colonel Young, for what purpose I cannot learn. We are told that it is to protect the inhabitants from being insulted and abused, and some other trifling reasons are given. If we who have been absent have any provender brought to town for our horses, it is seized for the Light Horse."<sup>75</sup> He also added that negroes, rum, sugar, tea, etc., were being impressed.

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<sup>72</sup> S. R. XXII, 776-7.

<sup>73</sup> S. R. XXII, 1033.

<sup>74</sup> S. R. XV, 503.

<sup>75</sup> S. R. XXII, 602-3.

# Life and Public Services of Hugh Williamson

JOHN WASHINGTON NEAL

## I. LIFE AND ACTIVITIES BEFORE ARRIVAL IN NORTH CAROLINA, 1735-1778

Dr. Hugh Williamson was a native of Pennsylvania. He was born December 5, 1735, in West Nottingham Township, Chester County, near Octarara River, which divides Chester from Lancaster County.<sup>2</sup> His parents were Scotch-Irish. His father was an industrious clothier of Dublin, who came to America and settled in Chester County about the year 1730. The mother of Dr. Williamson was Mary Davidson, a native of Derry. With her father, George Davidson, she came to this country in 1718, when a child about three years of age. On the voyage to America they were captured and plundered on the coast by Theach, popularly known as Blackbeard. Upon being released, they arrived in Philadelphia. The parents of Dr. Williamson were married in 1731, shortly after his father's arrival in this country. There were ten children, six sons and four daughters, of whom Hugh was the eldest son. His parents were notable for their integrity, their habits of industry and frugality, their great moral worth, and their attention to the duties of religion.

Hugh grew up a slender, delicate lad. His father observed that he was not likely to attain to a strength that would enable him to support himself by manual labor and decided to give him a liberal education. The lad received a country school education near his father's home. He was sent at an early age to learn the languages at an academy established at New London Cross Roads under the direction of the Reverend Francis Alison, whose talents, learning, and discipline had gained for him the honor of being entitled the *Busby* of the western hemisphere. Hugh was fitted for college there, and in the pursuit of his studies he distinguished himself by his diligence, his love of order, and his correct moral and religious behavior.<sup>3</sup>

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<sup>1</sup> An essay written in 1917-18 and submitted in competition for the Southern History Prize of the Trinity College Historical Society.

<sup>2</sup> Hosack, *Memoir of Dr. Hugh Williamson*, 10.

<sup>3</sup> *Ibid.* 13.



Upon returning from the seminary of Dr. Alison, he did not go immediately to college, but, at his father's house, he applied himself to the study of Euclid's *Elements*, which he mastered in a short time. For Mathematics he gained an attachment that lasted through his entire life, but he had no poetic talent. The father now proposed to send him to Europe to complete his education, but, an institution at Philadelphia having been chartered, he entered the first class of what was then known as the College of Philadelphia and is now known as the University of Pennsylvania. Four years later the college held its first commencement, on the 17th day of May, 1757, when Hugh Williamson with six others received the degree of Bachelor of Arts. He was so highly regarded while a student that he was successively employed in both the Latin and English schools connected with the institution.<sup>4</sup>

It was Williamson's intention to become a minister.<sup>5</sup> Before he entered upon the study of divinity and while still a young man, he visited and prayed with the sick in the neighborhood. A little prior to his graduation, his father and family had moved to Shippensburg, Cumberland County. The year of his graduation his father died, leaving him sole executor of the estate. He now took up residence with his mother at Shippensburg and spent two years studying divinity, collecting debts, and administering the affairs of the estate. In 1759 he went to Connecticut, where he pursued his theological studies and was licensed to preach. After returning from Connecticut, he was admitted to membership in the Presbytery of Philadelphia. Although he preached nearly two years, he was never ordained or placed in charge of a congregation. One reason for his non-success in this vocation was a chronic weakness. It was questionable whether his lungs would bear the exertions of public speaking. The fears were verified, for he became much troubled with pains and strictures in his chest. About this time there was a controversy in the Presbyterian Church between the followers of Whitefield, who were called New Lights, and the Old Lights. Williamson became disgusted, left the pulpit, and entered upon the study of

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<sup>4</sup> *Ibid.* 17.

<sup>5</sup> *Ibid.* 20.

medicine.<sup>6</sup> It is very probable that this was a favorite study with him while he was engaged in the study of divinity.

In 1760 he received the degree of Master of Arts in the College of Philadelphia and was immediately appointed to the Professorship of Mathematics in that institution.<sup>7</sup> He accepted without thought of giving up his intention to study medicine. On October 8, 1763, he gave notice of his intended resignation of the professorship, and went to Europe the next year for the purpose of studying medicine at the University of Edinburgh. After taking the desired course at Edinburgh, he toured Northern Scotland and went to London, where he remained twelve months, diligently pursuing his studies, and, as at Edinburgh, his zeal attracted the notice and attention of his instructors. From London he went to Utrecht, where he completed his medical education and received the degree of Doctor of Medicine. After a tour on the continent, he returned to America with his health greatly improved.<sup>8</sup>

He practiced medicine in Philadelphia for some years with success; but his delicate health and love for investigation led him to resolve to give up medicine and enter mercantile pursuits. He did not take up this work at once but remained in Philadelphia, devoted to his favorite literary and philosophical investigations. At a meeting of the American Philosophical Society, held on January 7, 1769, Dr. Williamson was appointed a member of the committee to observe the transit of Venus across the sun's disk.<sup>9</sup> He wrote the report of that committee and published numerous other papers on kindred subjects in the "Transactions" of the society. He was also interested in a comet of that year, and evolved a comet theory of his own. His work, *Observations on the Climate*, received in Europe very respectful notice and greatly extended the name and fame of the author. The publication of these papers procured for Williamson not only the notice of various institutions of his native country, into which he was shortly afterwards introduced as an honorary member, but also obtained from abroad flattering honors. The Holland Society

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<sup>6</sup> *Ibid.* 21.

<sup>7</sup> *Ibid.* 21.

<sup>8</sup> *Ibid.* 23.

<sup>9</sup> *Ibid.* 25.

of Sciences conferred upon him a membership in that body. From the University of Leyden he received the degree of Doctor of Laws.<sup>10</sup>

In 1772 he toured the West India Islands to collect subscriptions for the Academy of Newark, Delaware. He was a member of the board of trustees of this institution. On the way home he came through Charleston, South Carolina, where he received some liberal fees for medical advice. He toured Great Britain in 1773 to secure further support for the Academy. The *literati* and men of letters received him with great attention. Although the King gave him a liberal donation, Williamson did not have the success he expected. The reason was the feeling against the colonies due to the revenue controversy. Williamson remained on his mission until the autumn of 1775.<sup>11</sup>

While in England Williamson had some interesting and important relations with government officials. The ship on which he had booked passage to England was lying in Boston Harbor on the night of the Boston Tea Party; Williamson was there waiting. He had been in Boston for some time, during which he had attended the noted meeting held in the Old South Meeting House. On the subject Samuel Adams wrote: "We have had great pleasure in his company for a few weeks past; and he favored the meeting with his presence."<sup>12</sup> Upon his arrival in England, he hastened to report the Boston Tea Party occurrence to the government; he was examined on the subject before the Privy Council, the examination taking place on February 19, 1774. Dr. Williamson declared that, if the coercive measures of Parliament were persisted in, nothing short of civil war would be the result.<sup>13</sup> It appears that the incorrect information on the part of the British ministry, as to the public sentiment in America, was almost incredible. Lord North himself has said that Dr. Williamson was the first person who intimated in his presence the probability of civil revolt.<sup>14</sup>

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<sup>10</sup> *Ibid.* 32.

<sup>11</sup> *Ibid.* 33.

<sup>12</sup> Cushing, *Writings of Samuel Adams*, III, 76.

<sup>13</sup> Hosack *Op. Cit.* 35.

<sup>14</sup> *Ibid.* 35.

While in England Dr. Williamson gave part of his attention to scientific studies. He spent much time on experiments with electricity, the laws of which had recently been investigated by Dr. Franklin. Frequently he and Dr. Franklin worked together in these experiments. One of his papers, *Experiments and Observations on the Gymnotus Electricus, or Electric Eel*, was first published in the Philosophical Transactions of the Royal Society of London, for the year 1775.<sup>15</sup>

It was on this trip that Williamson got hold of the Hutchinson-Oliver letters. These letters were from Governor Hutchinson and Lieutenant-Governor Oliver of Massachusetts to the British ministry, advising hostilities against the people of America. The patriots of Massachusetts believed that these officers, instead of looking out for the interest of the colony as they had sworn to do, were betraying their trust. These letters were desired by Dr. Franklin, and Williamson determined to try to obtain them. He was then in London engaged in scientific investigations, and had observed a chamber or office in which colonial papers were kept for future reference. Concluding that the letters were probably there, he went in the character of a messenger from the head of one of the departments and called for the letters last received from Hutchinson and Oliver. They were handed to him without suspicion and were immediately put by him into the hands of Dr. Franklin. Early next morning, Dr. Williamson crossed over to Holland on his way to America.<sup>16</sup>

In these letters the character of the people of Massachusetts was presented in very bad color, and their grievances and proceedings were greatly misrepresented. It is certain that Governor Hutchinson was secretly trying to subvert the chartered rights of the colony, whose interest he had sworn to protect. He was apparently an agent in the passage of the Stamp Act. Franklin transmitted these letters to his constituents at Boston, and the indignation which was aroused greatly widened the breach between the colonies and mother country.<sup>17</sup>

Dr. Williamson had scarcely made his tour of the low countries when news of the Declaration of American Inde-

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<sup>15</sup> *Ibid.* 51.

<sup>16</sup> State Records of N. C., XXV, 172.

<sup>17</sup> Hosack *Op. Cit.* 39.

pendence reached him. After spending a short time in France in ill health, he crossed from Nantes in December for Philadelphia; but he did not arrive until March 15. The ship was captured off the coast of Delaware, but he and another passenger escaped in an open boat with some important public despatches.<sup>18</sup>

It is apparent that he delivered the despatches as soon as he arrived. It is very likely that they were messages from Franklin and Deane on the subject of foreign aid. A few days later John Adams wrote as follows: "This much I may say, that we have letters from Dr. Franklin and Mr. Deane; both agree that everything is as they could wish; but the Doctor had just arrived, and had not been to Paris, and therefore could know nothing of the Cabinet. The noted Dr. Williamson is arrived, full of encouraging matter; but what confidence is to be put in his intelligence, I know not. Franklin, Deane, and Williamson all agree in opinion that a war will take place."<sup>19</sup>

When he returned to America Dr. Williamson found the American Army organized and the medical staff filled up. Deciding to return to private life, he undertook a mercantile adventure with a younger brother to Charleston, South Carolina. The brother sailed to the West Indies, and Dr. Williamson, with assistance, purchased a sloop at Charleston, loaded her with suitable cargo for Baltimore, and ordered her to stop at Edenton, which was then a port of considerable importance. In the meantime, General Howe had entered the Chesapeake Bay on his way to Philadelphia, and Dr. Williamson, fearing that his sloop might be captured, determined to remain at Edenton. He now carried on trade with the neutral islands of the West Indies and resumed the practice of medicine.<sup>20</sup> On February 11, 1778, he wrote to John Mease, a merchant of Philadelphia: "When I told you that I was engaged in building vessels you hardly expected that I should return suddenly. I am not in haste to return. What have I to do in Pennsylvania? Is it that I may try for some Employ<sup>m</sup>t that I ought to have been solicited to accept? Is it that I may be pestered by

<sup>18</sup> *Ibid.* 54.

<sup>19</sup> Adams, *Life and Works of John Adams*, IX, 456.

<sup>20</sup> Hosack, *Op. Cit.* 55.

answering numberless objections proposed by some insidious Knave who heard the Dreams of some fool who could not tell whether I (am) of the Country that gave me birth? There is not in America a Man who has served it more faithfully or disinterestedly. I am still ready to serve it if an Occasion should offer. I see none at Present. . . . I have bot two small Vessels one of them of about 40 Tons for the Inland Trade, and am building 2 or 3 Boats of about 70 Tons."<sup>21</sup>

## II. MILITARY SERVICES

Dr. Williamson soon acquired the confidence of the people of Edenton and was invited to Newbern to try the newly discovered remedy of vaccination. His medical services greatly tended to spread his name and to lay the foundation for the good-will and fame which he later enjoyed in North Carolina.<sup>22</sup>

Dr. Williamson did not enter public life in North Carolina until 1780, when the state was preparing to send aid to General Lincoln, who was then besieged at Charleston. In April of that year, the Assembly passed an act to send 4,000 troops, and 800 more if absolutely necessary. Richard Caswell was made major-general of the 4,000. Some time before, when Caswell was governor, Dr. Williamson had offered his services when they could be of use. Caswell now reminded him of his former promise and handed him a commission, appointing him to the head of the medical department as physician and surgeon.<sup>23</sup>

Dr. Williamson was at the battle of Camden, and immediately after the battle he requested General Caswell for a flag of truce that he might return to the field to treat the wounded. Caswell wanted to send the regimental surgeons, but the majority of these had disappeared, and the others refused to go, being afraid of the consequences.<sup>24</sup> Williamson found 240 men with 700 wounds. He had no help at all for ten days and then only one surgeon assisted him. Supplies of every kind were insufficient. On August 24 he wrote to the British Physician General as follows:

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<sup>21</sup> MSS., Pennsylvania Historical Society.

<sup>22</sup> Hosack, *Op. Cit.* 55.

<sup>23</sup> *Ibid.* 56.

<sup>24</sup> S. R., XXII, 530-2.

"SIR: The Articles you were so kind to order have not been received. Our Hospital patients are near 250, many of them dangerously Wounded. They are lodged in six small wards, without straw or Covering. In the six Wards they have only four small Kettles and no Canteen, Dish, or Cup, or other Utensil. We have hardly any Medicine, not an ounce of lint, Tow, or Digestine; not a single Bandage or Poultice Cloth, not an ounce of meal to be used for Poultices. In a word nothing is left for us but the painful Circumstances of viewing wretches who must soon perish if not soon relieved."<sup>25</sup>

One of the worst things that Dr. Williamson had to deal with at Camden was smallpox. He spared no efforts in looking after the wounded and prisoners, but he did not always have the coöperation of the British authorities. Cornwallis showed much displeasure at the inoculation of an officer who had a slight wound and who was quartered apart in a private house. Williamson called to see two natives of South Carolina who were sick in prison. They had the smallpox in a room with seventeen other prisoners. He wrote Cornwallis that "confinement in such room, as putricent as the air was, must be followed by death equally certain as immediate execution."<sup>26</sup> The two sick ones were taken out, but the others were detained and not inoculated. Most of them died. About September 22 he obtained permission to vaccinate those who had hitherto avoided treatment. Such as were in health and were treated, suffered very little.

Desiring that some of the surgeons might be permitted to inoculate the prisoners who were sent to Charleston, he applied to Major England as follows:

"I presume that Lord Cornwallis is informed that of the North Carolina prisoners lately sent to Charles Town, who I apprehend are from 300 to 400, hardly a single Man has had the small Pox. There is, I presume, the utmost danger of these Men taking the Disease in the Natural way, unless they are inoculated. Be so kind to inform me whether Lord Cornwallis is willing those Troops should be inoculated, and by whom

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<sup>25</sup> *Ibid.* XV, 61.

<sup>26</sup> *Ibid.* XXII, 530.

he wishes it to be done. You will excuse the mention I have made of the subject, but having the chief Medical Care of the troops of that State, I conceive it is my duty."<sup>27</sup> From Major Despond he received the following answer: "I have Lord Cornwallis' order to acquaint you that, with respect to the American prisoners sent to Charles Town being inoculated, his Lordship will give proper orders."<sup>28</sup>

The abilities of Williamson as a physician were evident and were appreciated. Such was the estimation in which his medical skill was held by the British, that during the illness of one of the general officers his attendance was requested in addition to that of the surgeons constituting their medical department.<sup>29</sup> He not only treated the prisoners at Camden, but also looked after the sick in Caswell's camp at the same time. On July 31, 1780, General Caswell wrote to Governor Nash that "many of the men were very ill; but Dr. Williamson is arrived, and I flatter myself he will soon put them on their legs again."<sup>30</sup> Dr. Williamson continued to treat the prisoners until they were well. About the middle of October the convalescents had no warm clothing, and he purchased clothing for them with his own money.<sup>31</sup> After having the experience with smallpox and other diseases at Camden, he drew a conclusion with which all doctors now agree. The idea is rigorously applied in the construction of all modern armies. He said: "From a transient view of our Misfortunes, it is clear that we would save many lives by any kind of Military establishment that would admit of the Troops being inoculated before they took the Field."<sup>32</sup>

In the fall of 1780 a camp of American troops under the command of General Isaac Gregory, who had done good work at Camden with the raw militia, was established on the borders of the Dismal Swamp. By special request Williamson was permitted to serve with him, and as a winter campaign was expected, he was anxious to see how far attention to diet, dress, and lodging would preserve the health of the troops. He picked out the places for the huts and planned

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<sup>27</sup> *Ibid.* XV, 62.

<sup>28</sup> *Ibid.* XV, 62.

<sup>29</sup> Hosack, *Op. Cit.* 56.

<sup>30</sup> S. R. XV, 11.

<sup>31</sup> Hosack, *Op. Cit.* 56.

<sup>32</sup> S. R. XXII, 532.



their drainage system. One hut was constructed under his particular direction, and the others were patterned after it. He had the soldiers to gather great quantities of dry moss for bedding, and directed them to place their bunks some distance from the ground that they might not become moist from dampness. He selected their food and superintended the cooking. Soups were the main food, for they aided respiration. He furnished medicines, instruments, linen and other necessities for a hospital at his private expense. He so far overcame the silent foe of armies that in six months, with from 500 to 1,200 men in camp, only two died from disease and none were furloughed on account of sickness.<sup>33</sup>

### III. IN THE LEGISLATURE

On April 16, 1782, Dr. Williamson took his seat in the House of Commons for Edenton. He became at once a working member and took high rank. Apparently the legislature did not proceed in as business-like manner as he thought it should, for he wrote to James Iredell on May 1, as follows:

"Hitherto we have not passed one law of extensive public import; but the committee on ways and means have several bills ready for the Assembly. The want of punctuality among the members in attending committees has called for the exercise of more philosophy than I possess. The Chancery Bill, not mine but the one I introduced, has been the subject of much debate. General Parsons and Governor Nash were at me hard; you see that I was unequally matched. . . . Tomorrow is fixed for the return of the bill and I think we shall carry it with considerable odds, nor shall we admit of the nominal amendments. So much trouble have I had with my Academy Bill, which has not yet passed, that I am almost resolved not to attempt any other public measure. The generous, public, and comprehensive spirit of legislation is wanting among our other wants.

"Last night we lost sleep; a horseman, we suppose one of Fanning's party, was fired on by one of our Pickets and attempted returning the fire, the gun flashed. We were called to arms and paraded; for you are to note that we are all Soldiers,

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<sup>33</sup> Hosack, *Op. Cit.* 59.

at least Armigere. Some of the Members horses that were billited in the Neighborhood are missing this morning. You see we are not without employments of different kinds."<sup>34</sup>

While in the legislature, he served as a member of the committees on privileges and elections, propositions and grievances, on depreciation of the currency, on the North Carolina line, on claims, and on many special committees. He was active in the introduction of proposed legislation. In 1782 he introduced and secured the passage of eight bills, while there were only forty-seven passed during the entire session, and none of those he introduced failed. An act for the promotion of learning provided for the incorporation of Smith's Academy, with Williamson as a trustee.<sup>35</sup> The act for the security of the Bank of North America validified the bank as far as the state was concerned. Counterfeiting and the misuse of property by officer or servant was to be punished as felony without benefit of clergy.<sup>36</sup> A bill for the relief of the officers and soldiers on the Continental Line authorized the settling of claims of the officers, soldiers, or their heirs by grants of land.<sup>37</sup> The eighth article of the bill for levying and collecting taxes decreed, "That the Moravians, Quakers, Menonist, and Dunkards shall pay a three fold tax, and all others who refuse to take an oath of allegiance as the law directs, shall also pay a three fold tax."<sup>38</sup> These religious sects were trebly taxed because they would not serve in the army, but probably the main purpose was to strike at the loyalists. Many times legislators had tried to get a chancery bill through the Assembly of North Carolina, but they had always failed to succeed. Williamson introduced and secured the passage of this measure. He was also the author of bills for the regulation of Edenton, for building a prison and jailor's house in that town, and for raising revenue for the support of the government. Dr. Williamson so impressed his fellow legislators that, before the Assembly adjourned, they elected him as a delegate to the Continental Congress.<sup>39</sup>

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<sup>34</sup> S. R. XVI, 613.

<sup>35</sup> *Ibid.* XXIV, 454.

<sup>36</sup> *Ibid.* XXIV, 446.

<sup>37</sup> *Ibid.* XXIV, 419.

<sup>38</sup> *Ibid.* XXIV, 434.

<sup>39</sup> *Ibid.* XVI, 173.

After spending three years, which was as long as one could serve consecutively in the Continental Congress, Williamson again appeared in the House of Commons in 1785 for the County of Chowan. He proposed for Speaker Hon. Richard Dobbs Spaight, who was unanimously chosen.<sup>40</sup> He served on several important committees and brought in and secured the passage of bills for enabling the comptroller to settle claims against the state for services performed during the war, for the recovery of the state's artillery, which was thrown into a river to keep it out of the possession of the British,<sup>41</sup> for the relief of widows and children of officers, for the regulation of commerce,<sup>42</sup> and for securing literary property—an early instance of a copyright law.<sup>43</sup> One bill he introduced did not pass; it provided for the incorporation of the Episcopal Church, and was withdrawn.

#### IV. IN THE CONTINENTAL CONGRESS

After being elected by the legislature for a term in the Continental Congress, Dr. Williamson immediately began to settle his affairs to serve the state in that capacity. On June 18, Governor Martin wrote to him: "I am much pleased with your intention of going so early to Congress, where a representation from this state is so greatly wanted, as by late accounts received from Governor Rutledge."<sup>44</sup>

Dr. Williamson took his seat on July 19, 1782. The other members of the delegation were Hawkins, Nash, and Blount. Dr. Williamson took high rank and served the first year on the following committees: the Week, Public Credit, Fisheries, Ceremonial, Quotas, Interest, Army Reduction, Indians, Thanksgiving and Prayer, Information for Foreign Ministers, Disclosure of Loans, Secrecy in Congress, and Salaries of Ministers,<sup>45</sup> and also minor committees to which were referred petitions and memorials.

Williamson and Blount were very determined that the part North Carolina was taking in the war should not continue to

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<sup>40</sup> *Ibid.* XVII, 268.

<sup>41</sup> *Ibid.* XXIV, 737.

<sup>42</sup> *Ibid.* XXIV, 718.

<sup>43</sup> *Ibid.* XXIV, 747.

<sup>44</sup> *Ibid.* XVI, 338.

<sup>45</sup> *Journal of Continental Congress*, XXIII, *passim*.

be misrepresented. On August 3, 1782, they wrote to Governor Martin on the subject as follows:

"We have now to inform you that North Carolina has been viewed in an unfavorable light. It is our Resolution that if she suffers for the future in the voice of Fame, it shall not be from the want of a friend to advocate her cause. As a contrast to the Monthly Publications of money received for the public use from different states, we drew up and caused to be published in the *Pennsylvania Journal and Packet* of this date and the first Instant a Summary account of what our State has done for the present year, in which we hope you will admit that, while we strictly adhered to truth, we have given no unpleasing picture of our Country, or rather of our fellow Citizens."<sup>46</sup>

On August 8, they also wrote: "With the desire of placing the State in a favorable light, we thought it our duty to publish an abstract of the late Acts of the General Assembly in favor of Troops and Revenue. The publication was very well received here. For a similar reason, we presented an Apology or address to the Minister of France."<sup>47</sup>

They wrote again on October 22: "Lest from the silence of the newspapers on that subject, it should be conjectured that we had done nothing towards the public Service, we caused a short account to be published of what was done by our Assembly for the current year; the number of Troops raised and clothed, the public wagons, the provision Tax and the Tax for public Revenue, all of which we attempted to place in the most favorable point of light."<sup>48</sup>

In regard to the finances, Williamson and Blount wrote to Martin at the same time: "And never was an army worse paid than they have been and are, to say nothing of the cloaths and rations.

"Congress have agreed for the next year to attempt to borrow on France or Holland Five Millions of Dollars. Some say to levy taxes. We are in favor of borrowing. The peculiar quality of our staples and the scarcity of money in North Carolina, we think, will justify our conduct. Tar,

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<sup>46</sup> S. R., XVI, 388.

<sup>47</sup> *Ibid.* XVI, 398.

<sup>48</sup> *Ibid.* XVI, 439.

Pitch, Turpentine, Lumber, and Indian Corn are too bulky to bear transportation in time of War. We can pay with these in time of peace.”<sup>49</sup>

Williamson believed in paying off the national debt on the conclusion of the war, for he wrote to Martin in the following tenor: “In whatever light and habit we may view a large nation in debt, it is certainly a chain of slavery. It will be constantly found that *‘the borrower is a servant to the lender,’* and these debts, which are the necessary cause of taxation, must prove the necessary source of grief. For these reasons, I presume it is our duty to leave no honest measure unattempted by which we may pay off the national debt.”<sup>50</sup>

In the year 1782 the controversy over the cession of the western lands was in progress. In October, Williamson and Blount wrote to Martin on this subject:

“If North Carolina should be induced to give up any of her Western Territory, we presume she will at least require the following preliminary:

“1st. That the whole expense of our Indian expeditions shall pass to acct. in our quotas of the Continental expenses.

“2nd. That an actual valuation shall be made of all lands and their improvements claimed by any State before the Cessions shall be confirmed.

“3rd. That the Sundry Accounts of every state shall be liquidated and its claim established so that their several Quotas may be fixed of the debt already contracted or to be contracted.

“4th. That the Lands thus ceded shall be disposed of to the best advantage by the consent of at least nine States for the payment of public Debts.

“5th. That if any separate State should ever be erected on any of these lands, part of the public debt shall be transferred to such State according to the value of the land it contains.

It may be inferred from these hints that some of the States may prove an overmatch for some of ours in the art of rendering accounts. Craft is on some occasions an overmatch for

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<sup>49</sup> *Ibid.* XVI, 435.

<sup>50</sup> *Ibid.* XVII, 26.

honesty, and we confess that when we observe the studied caution with which some of the States seem to elude any attempts to fix a Federal Quota; when we observe the manner in which some of them have laid Continental money and are now claiming to pay it in at 40 for one, as a part of their Quota, and when we attend to the steps that have been attempted of less consequence, but in the same spirit, we are induced to think that caution is necessary; and our State will certainly require that our people should be honest if they are generous."<sup>51</sup>

On November 18, Williamson wrote to Martin concerning the problem of the west: "The Spirit of making new States is become epidemic. Small States—or at least the inhabitants—encourage this spirit. They are envious of large states and wish to make us all of the same Pigmy breed. The Assembly of this State (Pennsylvania) has just received accounts that the Inhabitants in General over the Alleghany Mountains are disposed to declare themselves Independent. A petition was handed to Congress, which was said to have been from the back people in Virginia praying to be erected into a State. We found much reason to think the Petition did not originate in the Western Country. I am at least convinced that our Subjects will be among the last to revolt as the State has shown and I am persuaded, ever will show the utmost intention to gratify their wishes and provide for the regular administration of Justice among them."<sup>52</sup>

During the session of 1782 the North Carolina delegation generally voted together. There was no conspicuous disagreement.

Dr. Williamson was grieved at the slowness of the legislative business and at the difficulties under which Congress worked. In February, 1783, he wrote to James Iredell: "For more than four weeks have we been constantly engaged in attempting to establish public funds, or fix a scale for settling the Quotas of the different states. To-day we have agreed in one resolution, which the Southern States have carried with great difficulty; it is not so good as we wished, but the

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<sup>51</sup> *Ibid.* XVI, 438.

<sup>52</sup> *Ibid.* XVI, 459-60.

best we could get, for valuing the lands and their improvements, according to the Confederation. I believe we failed in twenty different plans before we fixed on one. I shall show you the Journal on the next month, which will explain some part of this business.

"The framers of our Confederation, with reverence be it said, were not infallible. Congress have reserved the power of making treaties and yet Congress has not reserved any power over Commerce. Those treaties include the relations of Commerce. We borrow money, and have not the means of paying sixpence. There is no measure, however wise or necessary, that may not be defeated by any single state, however small or wrong-headed. The cloud of public creditors, including the army, are gathering about us; the prospect thickens. Believe me, that I would rather take the field in the hardest military service I every saw, than face the difficulties that await us in Congress within a few months. I have fervently desired peace. Whoever my successor may be in the delegation, I shall not envy his station. I shall wish him as much diligence, a little more patience and a great deal more political knowledge."<sup>53</sup>

In the summer of 1782 the British were apparently trying to sow seeds of discord between the American and French governments. Williamson and Blount gave their opinions of the matter in two letters written to Governor Martin on August 18 and 19:

"Congress had just received the letter which the British General seemed to circulate with avidity. It seemed to point at some desire to separate America from her Union with France. At this season we apprehend that we cannot be too attentive to obviate every probable cause of Jealousy in the breast of our Ally, who doubtless has served us faithfully."<sup>54</sup>

"There is certainly a disposition in the present English Ministry to excite among the people of America some desire of a Separate peace, and we apprehend that nothing but vigorous and persevering exertions on our part to convince the enemy of our ability to continue the *leaden* argument will

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<sup>53</sup> McRee, *Life and Correspondence of James Iredell*, II, 38.

<sup>54</sup> S. R. XVI, 398.

compell them to make those offers of peace seriously which 'tis probable they are now making insidiously."<sup>55</sup>

Owing to the uncertain methods of communication and probably to the carelessness of the state officials, the representatives in Congress were frequently in bad straits financially. Not only was there no great desire for these positions on the part of the patriots of the state, but also it was very hard to get competent men to attend regularly. In 1783 Williamson and Hawkins wrote to Governor Martin on the subject: "Our situation begins to be very disagreeable, we are now, and have been for sometime, without one Shilling of money, and the prospects formerly held out to us have vanished; our Colleagues have not yet arrived, and we know not when to expect them. The Treasurers of all the states in the Union except North Carolina, regularly send forward monthly the Salary of their Delegates; we depend on borrowing for our decent support, and fear very shortly that our credit will be like the remittances from our state. How far this will comport with the dignity of a Sovereign State, we leave to the Chief Magistrate to judge."<sup>56</sup>

Attendance at Congress in the winter of 1783-4 was very irregular. Several states were not represented; the business was greatly delayed by the lack of a quorum. As long as Williamson had been away from home, and as much as he wished to return, he did not feel himself free to leave, lest he should retard the business of the government or leave the interests of the state unprotected. In March he wrote to Governor Martin as follows:

"There has been important business lately which cannot be done without nine states. There have been nine states only three or four days during the winter. I had fully expected to come home by the first of April, but there is no prospect of it now. It would be cruel to withdraw a state 'til the business is finished and it might happen that in the absence of the representation of our state the most important national concerns would not only be postponed and deferred for a considerable time, but some of the opportunities must be forever lost. I

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<sup>55</sup> *Ibid.* XVI, 863.

<sup>56</sup> *Ibid.* XVI, 905.



flatter myself that any national misfortune will never pass to the acct. of the Delegates from our State. . . . If several Gentlemen had not shrank from such inconvenience, we should have had a larger representation for the last eight months and our business might have now been finished, by which our finances would be in better shape and our national honor in better light.”<sup>57</sup>

Later he wrote: “You observe that there are three measures which we are greatly interested in promoting, viz.: that Rhode Island and Georgia should agree to the 5 per Cent. Impost; that Georgia should cede part of her territory; and that the expenses of our Indian Expedition should be paid by the United States. Can the Western territory belonging to our state be so managed as to promote those several interests? The last we may doubtless secure. If we should immediately complete the Cession, we shall give up the power of making advantageous terms and shall lose the argument which may bring others to adopt federal measures. On the other hand, should we sell out what remains of this territory to the Western Inhabitants, whatever inconvenience they may suffer, they will lose the prospect of becoming a Separate State; the quota of our state will be doubled though we shall hardly have the means of paying half our present quota. In that case too we should give up the means of making terms, or the power of adopting better measures if better should present themselves. The situation is critical. Perhaps it is most consistent with prudence and sound policy to make a pause. Whatever shall finally appear to be for the honor and true interest of the State may be done twelve months hence as well as now. But we may do wrong things which may not be undone.”<sup>58</sup>

The legislature had already passed an act of cession, but it was repealed on November 20, on account of the views expressed in this letter.

Dr. Williamson continued at the head of the delegation for three years—until 1785, the longest time that any member was eligible to serve consecutively. During the next three

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<sup>57</sup> *Ibid.* XVII, 27.

<sup>58</sup> *Ibid.* XVII, 100.

years he served the state in different capacities. He was elected to the Assembly in 1785 and later was sent by the state to the Annapolis Trade Convention and to the Constitutional Convention at Philadelphia. Then in 1788 he was again returned to the Continental Congress by the legislature, which was radically Anti-Federalist, although he was greatly in favor of and supported the Constitution. It was not easy to get competent men to serve in Congress. Spaight wrote to Governor Caswell on June 5, 1785: "North Carolina has not been represented since Dr. Williamson's time expired nor do I hear of any account of other delegates coming. I shall leave this city in a few days to return home."<sup>59</sup>

#### V. THE ANNAPOLIS CONVENTION, THE FEDERAL CONVENTION AND THE CONSTITUTION

The year 1786 is memorable as being the date when the defects of the old confederation became so apparent that the movement for a change began to bear fruit. When the call for the Annapolis Convention came, Governor Caswell, on the recommendation of the Council of State, addressed letters to Abner Nash, Alfred Moore, Hugh Williamson, John Gray Blount, and Philemon Hawkins, offering to commission any two or three of them that would attend the convention.<sup>60</sup> Dr. Williamson accepted in the following words:

"I have ever had the Commercial Interest of this State much at heart, and shall never Shun any Opportunity on which it may seem probable that my services may be of use to the State. I am obliged to the Council for rating my Abilities perhaps at more than they deserve. My diligence, however, shall be equal to that of my Compatriots. I shall endeavor to attend the meetings of the Commissioners at the time and place appointed, if you are pleased to forward me a warrant with the Commission."<sup>61</sup>

Blount, Nash, and Williamson received commissions. Dr. Williamson was the only one to go, and he did not arrive at Annapolis until after the convention adjourned. In explanation to Governor Caswell, he wrote: "On receiving the Com-

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<sup>59</sup> *Ibid.* XVII, 464.

<sup>60</sup> *Ibid.* XVIII, 111.

<sup>61</sup> *Ibid.* XVIII, 655.

mission which your Excellency was pleased to forward I held myself in readiness to proceed towards Annapolis so as to be there on Monday on the fourth day of September, but as a single member had no Vote I waited until I should hear that some other of the Commissioners were on the way; having reason to fear that Mr. Nash would not find it convenient to Attend I wrote to Mr. Blount proposing that we should forthwith set out a full week before the Time mentioned; but received for answer from one of his Clerks that Mr. Blount was so ill of a Fever as not to be able to write. After some time Mr. Blount informed me that he was recovering, but he wished me in the meantime to proceed to Annapolis, with such papers and other information respecting the State of our Commerce as I had been able to Collect, for I had, with some trouble, to Collect a full account of our Exports by which the relative Importance of our Commerce might in some measure be ascertained; such information might be of use in the Deliberation of the Commission, though I could have no Vote before the Arrival of my Colleague. On the Seventh of September I arrived at Norfolk, from whence the Baltimore Packet was ready to Sail, but stormy weather came on by which she was detained for some Days and once put back after she had sailed; hence, I did not arrive at Annapolis till after the fourteenth, on which the Convention arose. Had they proceeded to Business, I should have been in Time. It was known that other States were on the Road for Annapolis but the Commissioners first Assembled have given sufficient reasons for not sitting longer.

“ . . . As I accepted this appointment from a Zealous desire to promote the Mercantile interest of this State, I should on the same principles have attempted faithfully to discharge the Duties of the Appointment without the expectation of Reward. With those Sentiments you will do me the justice that I sincerely regret nothing has been done at the proposed meeting, and while the United States are wasting by the most destructive Commerce no progress is made towards safety or system.”<sup>62</sup>

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<sup>62</sup> *Ibid.* XVIII, 772.

Of the five men originally delegated to the Federal Convention from North Carolina, Davie and Spaight were conservatives, while Willie Jones, Alexander Martin, and Governor Caswell were more or less radical. Probably Jones was like Patrick Henry in that he "smelt a rat." He and Governor Caswell declined to serve.<sup>63</sup> Blount and Williamson, both conservatives, were appointed to take their places. Concerning this appointment, Caswell wrote to Williamson: "I have done myself the honor of naming you to fill the vacancy. The members of the Council who are now sitting here as a board are unanimous in their approbation of that choice and sincerely hope you will accept the same."<sup>64</sup> Dr. Williamson had the work very much at heart; he was the only delegate from North Carolina to attend the Convention from start to finish.

In studying the part that Dr. Williamson took in the Convention, we should always keep in view the three great forces or purposes that guided his action throughout. These were: to protect the interest of North Carolina, to establish as perfect a form of government as possible, and to secure the adoption of that form by all the states. He soon learned, if he did not already know, that no one of these purposes could be carried to the extreme without a corresponding defeat of the others. Compromises therefore had to be made; he had to do things that were apparently inconsistent. People began to speculate as to his character, and the French Charge d'Affairs surmised that he did not have one.

Dr. Williamson was very active in the Convention. He made more speeches and took a larger part than all the other delegates from North Carolina. He served on the committees on assumption of state debts by the United States, on navigation and slave trade, on duties and imposts and methods and places for collecting them, and on unfinished parts of the constitution.

William Pierce of Georgia, a delegate who wrote character sketches of the members of the Federal Convention, said: "Mr. Williamson is a gentleman of education and talents. He enters freely into public debates from his close at-

<sup>63</sup> *Ibid.* XVIII, iii.

<sup>64</sup> *Ibid.* XX, 637.

tention to most subjects, but he is no orator. There is a great degree of good humor and pleasantry in his character; and in his manners there is a strong trait of the gentleman."<sup>65</sup>

The French Charge d'Affairs, Otto, in a report to his government termed Williamson as "very odd, magnetic in speech, always speaking with spirit. It is very difficult to picture his character, it is even possible that he does not have one. But his activity has for a long time given him a very great influence in congress."<sup>66</sup>

Williamson believed in a plural executive. Supported by Randolph he spoke strongly in favor of this plan. He pointed out that there were sections whose interests were entirely different. He wished the executive power to be lodged in three men taken from three districts into which the states should be divided. As there was to be a veto in the hands of the executive, a section of the country from which the single executive did not come, would be in a bad plight.<sup>67</sup> This view was endorsed by the New Jersey resolutions which were supported by Connecticut, New York, Delaware, and at least Martin of Maryland.<sup>68</sup>

In settling on the term of the executive, the delegates were at a loss. Four, six, seven, eight, eleven, and fifteen years were the more serious proposals. Williamson advocated seven years and ineligibility for re-election. With such a precaution, he had no objection to a longer term than seven years. Without this precaution, he feared that there would soon be a king. Once elected, an executive might spare no effort in attempting to perpetuate himself and his sons in office.<sup>69</sup> In the Convention, the term of seven years was agreed upon until the method of election by electors was accepted, and even then the delegates from North Carolina voted for its retention.

Williamson thought that election by the national legislature was the best plan for choosing an executive.<sup>70</sup> "He could see no advantage in the introduction of electors chosen

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<sup>65</sup> Farrand, *The Records of the Fed. Conv.*, III, 95.

<sup>66</sup> *Ibid.* III, 237.

<sup>67</sup> *Ibid.* II, 100.

<sup>68</sup> Farrand, *The Framing of the Constitution*, 85.

<sup>69</sup> Farrand, *Records*, II, 100.

<sup>70</sup> *Ibid.* II, 32.

by the people who would stand in the same relation to them as the state legislatures, while the expedient would be attended with great trouble and expense.”<sup>71</sup> “He had no great confidence in the electors to be chosen for the special purpose. They would not be the most respectable citizens; but persons not occupied in the highest offices of government. They would be liable to undue influence, which might the more rapidly be practiced as some of them will probably be in appointment six or eight months before the object of the commission.”<sup>72</sup> He opposed popular election of the president.<sup>73</sup> On July 23, after election by electors had been accepted, Williamson moved “that in the future elections of the national executive, the number of electors to be appointed by the several states shall be regulated by their respective numbers of representatives in the first branch pursuing as nearly as may be the present proportions.” This motion was agreed to; six states voted for it and four against it. He moved that the electors should be paid by the national government. This was accepted unanimously.<sup>74</sup>

In case the electors should not give any one man the majority, Williamson was not in favor of referring the election to the Senate. He thought this would lay “a certain foundation for corruption and aristocracy.”<sup>75</sup> He went on to say, “there are seven states which do not contain one-third of the people. If the senate is to appoint, less than one-sixth of the people will have the power.”<sup>76</sup> He suggested that better than an eventual choice by the Senate, “that this choice should be made by the Legislature, voting *by states* and not *per capita*.” Mr. Sherman thought the House of Representatives better than the Legislature and moved accordingly. This motion was carried by a vote of ten to one.<sup>77</sup>

Dr. Williamson made a motion that the national legislature should provide for the succession to the presidency in case the president should die or otherwise be incapacitated; the conven-

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<sup>71</sup> *Ibid.* I, 81.

<sup>72</sup> *Ibid.* II, 59.

<sup>73</sup> *Ibid.* II, 32.

<sup>74</sup> *Ibid.* II, 73.

<sup>75</sup> *Ibid.* II, 512.

<sup>76</sup> *Ibid.* II, 514.

<sup>77</sup> *Ibid.* II, 527.

tion agreed.<sup>78</sup> Seconded by Mr. Davie, Williamson moved to add the following words to the last clause of the resolution respecting the executive: "and to be removable on impeachment and conviction of mal-practice or neglect of duty." The impeachment clause was carried in the affirmative."<sup>79</sup>

There were many long debates over the composition of Congress. At first, as did the delegates of all the large states, Williamson took the view that proportional representation was the only fair basis. He illustrated the case by a comparison of the different states to counties of different sizes within the same state; observing that proportional representation was admitted to be just in the latter case, and could not therefore be fairly contested in the former.<sup>80</sup> It did not appear to him that the small states would be swallowed up.<sup>81</sup> "He thought that if any political truth could be grounded on mathematical demonstration, it was that if the states were equally sovereign now, and parted with equal proportions of sovereignty, that they would remain equally sovereign. He could not comprehend how the smaller states would be injured in the case, and wished some gentleman would vouchsafe a solution of it. He observed that the small states, if they had a plurality of votes would have an interest in throwing the burdens off their own shoulders on those of the large ones. He begged that the new addition of states from the west might be kept in view. They would be small states, they would be poor states, they would be unable to pay in proportion to their numbers; their distance from market rendering the produce of their labor less valuable. They would consequently be tempted to combine for the purpose of laying burdens on commerce and consumption which would fall with greatest weight on the old states."<sup>82</sup>

The preceding speech was made on June 28. It was one of the critical times of the convention; it appeared that the large and small states would not come to an agreement and all the work of the convention would be of no value. On July 2, the question came up of submitting the matter to a

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<sup>78</sup> *Ibid.* II, 401.

<sup>79</sup> *Ibid.* I, 78.

<sup>80</sup> *Ibid.* I, 180.

<sup>81</sup> *Ibid.* I, 191.

<sup>82</sup> *Ibid.* I, 445.

committee. Williamson spoke on the subject, and Madison's resume of it was as follows: "If we do not concede on both sides, our business must soon be at an end." He approved of the commitment, supposing that as the committee would be a smaller body, a compromise would be pursued with more coolness.<sup>83</sup>

The committee to which the matter was submitted reported on the fifth of July. Furious debate broke out again and persuasion by the sword was hinted at. Williamson spoke in a conciliatory attitude and said that he hoped that the expressions of individuals would not be taken for the sense of their colleagues, much less of their states, which was not and could not be known. Although the report contained the most objectionable propositions he had heard, he was ready to hear it discussed.<sup>84</sup> The report of the Compromise Committee in its amended form came before the convention on the sixteenth of July. It embodied the famous "great compromise," by which equality of representation was given in the Senate and proportional representation in the House. The North Carolina delegation, thoughtless for its private interests as a large state, voted with the small states for the compromise and saved the work of the Convention. Later, to conciliate the small states further, Williamson moved to reconsider the numbers fixed for the first House of Representatives in order to make an addition of one-half generally to the number allotted to the respective states and to allow two to the smallest states.<sup>85</sup> This motion was defeated by one vote.

Williamson did not intend that the congressional districts should ever be in the condition that the electoral districts are in Germany today; he was determined that a re-apportionment should be made at regular intervals, based on the growth of population. There was a motion before the Convention according to which it should be the duty of Congress to re-distribute the districts. Williamson was for requiring Congress to do what was right about it and not leaving it at liberty to act or not to act. He moved, "That in order to ascertain the alterations that may happen in the population

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<sup>83</sup> *Ibid.* I, 515.

<sup>84</sup> *Ibid.* I, 532.

<sup>85</sup> *Ibid.* II, 612.



and wealth of the several states, a census *shall* be taken of the free white inhabitants and three-fifths of those of other descriptions on the first year (after the government shall have been adopted) and every year thereafter; and that the representation be regulated accordingly.”<sup>86</sup> Although the principle was adopted later, the motion was amended and lost.

Williamson preferred a small number of senators and suggested twenty-five as a convenient body.<sup>87</sup> He also thought there ought to be more care taken about the composition of the Senate than of the House. He said: “It is more necessary to guard the Senate in this case than the other house. Bribery and cabal can be more easily practiced in the choice of the Senate which is to be elected by the legislatures composed of few men, than of the House of Representatives who will be chosen by the people.”<sup>88</sup> He moved to insert nine years instead of seven as a minimum of citizenship for members. He “wished this country to acquire as fast as possible national habits. Wealthy emigrants do more harm by their luxurious example, than good by the money they bring with them.”<sup>89</sup> He suggested a term of office of six years as more convenient for rotation than seven.<sup>90</sup> He opposed the requirement of previous residence for Representatives, for “new residents, if elected, would be most zealous to conform to the will of their constituents. Their conduct will be watched with a more zealous eye.”<sup>91</sup>

Many of the delegates, probably a majority of them, wished to place some kind of property qualifications on the voters. Some advocated that only freeholders be allowed to vote. They could not come to an agreement and in a spirit of compromise allowed the qualifications to be the same “as those of the electors in the several states, of the most numerous branch of their own legislatures.”<sup>92</sup> It is notable that Williamson opposed any qualifications whatever.

The general powers of Congress, the relative power of the Senate, the relative power of the House, and also of the

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<sup>86</sup> *Ibid.* I, 579.

<sup>87</sup> *Ibid.* I, 150.

<sup>88</sup> *Ibid.* II, 239.

<sup>89</sup> *Ibid.* I, 268.

<sup>90</sup> *Ibid.* I, 409.

<sup>91</sup> *Ibid.* II, 218.

<sup>92</sup> *Ibid.* II, 201, 250.

executive, gave Williamson much trouble. His mind occasionally changed on these matters, and each time he proceeded to try to change the opinion of the Convention. Sometimes he was successful. On June 6, he was for substituting a clause requiring two-thirds for every effective act of the legislature, instead of giving the President the veto power.<sup>93</sup> On August 15, he moved to change "two-thirds of each house" into three-fourths as requisite to over-rule the dissent of the president. He saw no danger in this, and preferred giving the power of veto to the president alone, to admitting the judges to act with him, as Madison had proposed. Just one month later, he moved to reconsider this provision in order to strike out "three-fourths" and insert "two-thirds." He remarked that he himself had proposed the previous change, but had since been convinced that the latter was preferable. The former, he thought, puts too much in the power of the president.<sup>95</sup>

In respect to the division of power between the states and the national government, Williamson was moderate in his opinion. He was against giving a power that might restrain the states from regulating their internal police. He thought the state ought to be independent in cases which were purely local and which applied to their internal affairs. Yet he thought the national legislature ought to have power to negative all laws that encroach on the national government.<sup>96</sup>

There had passed the Convention a provision requiring a two-thirds majority for the ratification of all treaties except treaties of peace. Williamson thought that such treaties should be guarded, at least by requiring the same majorities as in other treaties. Seconded by Mr. Spaight, he moved accordingly. He remarked "that treaties are to be made in the branch of government where there may be a majority of the states without a majority of the people. Eight men might be a majority of a quorum, and ought not to have the power to decide the conditions of peace." The motion was carried in the affirmative by a vote of eight to three. He and Mr. Gerry

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<sup>93</sup> *Ibid.* I, 140.

<sup>94</sup> *Ibid.* II, 301.

<sup>95</sup> *Ibid.* II, 585.

<sup>96</sup> *Ibid.* I, 165, (169, 171).

moved: "That no treaty should be made without previous notice to members, and a reasonable time for their attending." This motion was rejected.<sup>97</sup>

Williamson was in favor of the restriction of money bills to the House. It would be less respected than the Senate and more liable to criticism. Some member would have to move, and the people could watch him. He told them that "the State of North Carolina had agreed to an equality in the Senate merely in consideration that money bills should be confined to the other house; and he was surprised to see the smaller states forsaking the condition on which they received their equality."<sup>98</sup> He said that some thought this restriction on the Senate essential to liberty—others thought it of no importance. Why could they not indulge the former? He was for an efficient and stable government, but many would not strengthen the Senate if it was not restricted as to appropriations. He frankly told the friends of the Senate that they would lose more than they would gain by refusing to gratify the other side.<sup>99</sup>

Williamson used all his influence to rid the constitution of clauses that would prohibit its adoption. He recognized that if the states did not accept it, the work of the Convention would be of no value. To this end, he favored a compromise on the importation of slaves. As a suggestion, he explained that North Carolina did not directly prohibit the importation, but imposed a duty on each one brought in. He thought the southern states could not be members of the Union if prohibition of importation was insisted upon, and that it was wrong to force anything down that was not absolutely necessary and which any state must disagree to.<sup>100</sup> He said "that both in opinion and practice he was against slavery; but thought it more in favor of humanity from a view of all circumstances, to let South Carolina and Georgia in on those terms than to exclude them from the Union."<sup>101</sup>

Williamson "considered the clause proposed against taxes on exports as reasonable and necessary."<sup>102</sup> He said he would

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<sup>97</sup> *Ibid.* II, 541, 3, 8, 9.

<sup>98</sup> *Ibid.* I, 234.

<sup>99</sup> *Ibid.* II, 233.

<sup>100</sup> *Ibid.* II, 373.

<sup>101</sup> *Ibid.* II, 415.

<sup>102</sup> *Ibid.* II, 307, 360.

never agree to this power, for "it would destroy the last hope of an adoption of the plan."<sup>103</sup> He seconded Madison's motion to prohibit state import duties.<sup>104</sup> He was in favor of making two-thirds instead of a majority requisite for navigation acts, as it would be more satisfactory to the South. He did not think the motion necessary in itself, but the southern people were apprehensive on the subject and would be pleased with the precaution. There was a motion before the Convention to separate the national capital from that of a state. Williamson liked the idea, but the people were aroused over the matter, and he feared that a provision to this effect would turn many people against the system. Several cities were hoping to become the seat of government. He thought it better to leave the matter unsettled.<sup>105</sup> On the subject of cession of western lands, he said that North Carolina was well disposed to give up her western lands, but attempts at compulsion should not be the policy of the United States. He was for leaving the whole matter in *status quo*.<sup>106</sup>

Williamson continued to be active during the last days of the Convention. He favored the prohibition of *ex post facto* laws. He pointed out that there was such a clause in the constitution of North Carolina, and although it had been violated, it had done good, since the courts could take cognizance.<sup>107</sup> He wanted to leave Congress free in admitting new states.<sup>108</sup> Williamson had been a member of the committee on the unfinished parts of the constitution. It is probable that he could not induce the committee to report changes that he wanted, and now he appealed to the Convention. He obtained a change in the clause concerning the veto and called attention to the fact that there were no provisions for juries in civil cases. The members were in a hurry to go home, and nothing was done.<sup>109</sup> The absence of this latter provision gave rise to one of the most popular objections against the constitution. One of the first ten amendments covers the subject.

When the time came for signing the constitution, several

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<sup>103</sup> *Ibid.* II, 441.

<sup>104</sup> *Ibid.* II, 450.

<sup>105</sup> *Ibid.* II, 127.

<sup>106</sup> *Ibid.* II, 462.

<sup>107</sup> *Ibid.* II, 376.

<sup>108</sup> *Ibid.* II, 454.

<sup>109</sup> *Ibid.* II, 587.

members did not wish to put their names to it. Williamson suggested that the signing should be confined to a letter accompanying the constitution to Congress. He himself did not think a better plan was to be expected and he had no scruples against putting his name to it.<sup>110</sup>

It is very clear that Williamson kept before himself in the Convention the purpose of securing the adoption of a constitution, although it should call for the desertion of his own personal ideas and the private interest of his adopted state. Before the Convention adjourned, he made plans for the ratification of the constitution. It was the policy of the Federalists to get as many as possible of their strong leaders into the Assembly. Samuel Johnston, who was one of the most valuable of these, had been defeated in the preceding election, and Williamson now concerned himself with the task of securing him a place in the Assembly. On July 8, eight days before the great compromise, he wrote to James Iredell:

"I think it more than likely that we shall not leave this place before the first of August. The diverse and almost opposite interests that are to be reconciled, occasion us to progress very slowly. . . .

"If the good citizens of Chowan should think fit on the present year to dispense with the abilities and labor of Squire Jordin, and should submit to such services as Mr. Samuel Johnston can render, I hope that he will not refuse to serve. My reason, as you may readily believe, is that some men of understanding may be in the House, who are capable of explaining and promoting such measures as may be recommended by the Convention."<sup>111</sup>

On July 23 he wrote: "After much labor the Convention have nearly agreed on the principles and outline of a system, which we hope may fairly be called an *amendment* of the Federal Government. This system we expect will, in three or four days, be referred to a small committee, to be properly dressed; and if we like it when clothed and equipped, we shall submit it to Congress; and advise them to recommend it to the hospitable reception of the states. I expect that some time

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<sup>110</sup> *Ibid.* II, 645.

<sup>111</sup> McRee, *Op. Cit.* II, 163.

in September we may put the last hand to this work. And as Congress can have nothing to do with it but put the question—pass or not pass,—I am in hopes that the subject may be matured in such time as to be laid before our Assembly at its next session. This being my expectation, I hope that our friend, Samuel Johnston, if asked, may not refuse to succeed Mr. Jordin, for surely there will be much need of abilities in the Senate as well as in the Commons. I also think that if he shall be in the Assembly he will, in all probability, be our next governor, which certainly is a particular object to the town of Edenton, as well as a general one to the state.”<sup>112</sup>

Williamson also wrote in favor of the new constitution. On August 20 he addressed Governor Caswell as follows: “On Monday last Col. Davie set out from this place [Philadelphia]. I regret his departure very much as his conduct here has induced me to think highly of his abilities and political principles. On Monday next Col. Martin also proposes to leave us when we shall be reduced to a mere representation; of the five Gentlemen who were appointed by the Assembly only one will remain. I wish you in the meantime to believe that Col. Blount and myself are determined to persevere while there are Six other States on the floor or until the business is finished, tho’ it should take months. We have two reasons for this resolution, either of which will be conclusive. We owe this duty to the state whose interest seems deeply concerned, and we owe it to the feelings of your Excellency, for we would not have it alleged that Gentlemen whom you have been pleased to honor with a Public trust had failed in a single Iota of their duty to the Public. We shall on some future occasion be at liberty to explain to your Excellency how difficult a part has fallen to the share of our State in the course of this business and I flatter myself greatly if we have not sustained it with a Principle and firmness that will entitle us to what we will never ask for, the thanks of the public. It will be sufficient for us if we have the satisfaction of believing that we have contributed to the happiness of Millions.”<sup>113</sup>

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<sup>112</sup> *Ibid.* II, 167.

<sup>113</sup> S. R. XX, 765.

Again he wrote: "It seems to be generally admitted, that the system of government which has been proposed by the late Convention, is well calculated to relieve us from many of the grievances under which we have been laboring. If I might express my particular sentiment on this subject, I should describe it as more free and more perfect than any form of government that has ever been adopted by any nation; but I would not say it had no faults. Imperfection is inseparable from every device. Several objections were made to this system by two or three very respectable characters in the convention. . . .

"When you refer the proposed system to the particular circumstances of North Carolina, and consider how she is to be affected by this plan, you must find the utmost reason to rejoice in the prospect of better times. There is a sentiment that I have ventured with a greater confidence, because it is the general opinion of my late honorable comrades, and I have the utmost reliance in their superior abilities. But if our constituents shall not see any—or if they shall suppose that a plan is formed for abridging their liberties, when we imagined that we had been securing both liberty and property on a more stable foundation—if they perceive that they are to suffer a loss, when we thought they must rise from a misfortune—they will, at least do us the justice to charge those errors to the head, and not to the heart."<sup>114</sup>

After the Convention adjourned, Williamson was again elected a member of the Continental Congress, along with John B. Ashe, Robert Burton and John Swann. When he took his seat he was the only representative of North Carolina present. He kept the leaders of the Federalist party in the state posted as to the latest problems and developments in Congress. His love for hard work would not let him remain idle, but forced him to give his entire attention to the affairs of the state. On May 30, 1788, he wrote to Governor Johnston:

"On the day before yesterday Mr. Swann arrived here by water from Norfolk. Yesterday he took his Seat in Congress

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<sup>114</sup> Farrand, Records, III, 238-9.

which for the first time since October last gave the state a Vote.

"To-day Congress had received a very serious Complaint from the Minister of France concerning the conduct of the Magistracy in one of the States protecting a French Pirate, another mournful proof that unless we have a Federal Government we shall not long escape the depredations of some foreign power."<sup>115</sup>

He wrote to Iredell: "Congress have before them sundry matters of considerable import, which have been depending some months, for there have been nine states on the floor for a few days past only. Having come on here with a resolution to indulge myself in as much leisure as any others of my fellow-laborers, the start I have been somehow constrained to take has not fully accorded with my plan; but I shall try to mend after a few land questions are determined. These questions are extremely weighty, as the national funds are concerned. At present I have not leisure even to return visits."<sup>116</sup>

Much attention was centered on the ratification of the constitution by the different states. As might be expected, Williamson was very much interested in this subject. On June 11, 1788, he wrote to Iredell: "All expectation is turned towards Virginia in adopting or rejecting. I confess that my hopes are not sanguine; but of this I do not consider myself bound to say all I think."<sup>117</sup>

About a month later he wrote: "Virginia having confederated, North Carolina, in opposition, should she be disposed to stand out, can only expect countenance from Rhode Island or New York. . . . It is thought that Rhode Island will pretty soon be ready to confederate; but I was told by a leader of the Know Ye men a few days since that the good people in that state have two capital objections against the new constitution: first, they think that every slave should be taxed according as a white man, and not represented; second, they think that the ratio for taxing is not proper; and that the states should not be taxed according to the number of

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<sup>115</sup> S. R. XXI, 476.

<sup>116</sup> McRee, *Op. Cit.* II, 226.

<sup>117</sup> *Ibid.* II, 226.



inhabitants, but according to the amount of produce exported from each state, or grown in it and exported from any other state. I asked him what Rhode Island grew and exported; he answered nothing except a little cheese and potash. You see how reasonable a plan his would be; Maryland, Virginia, and North Carolina would be delighted with it.

"The politics of New York are not so villainous in their face, but not much more honorable, considering them as a part of one nation. They, during the war, agreed to give Congress power to collect the five per cent. impost; as soon as they got possession of the city they refused to let Congress have such power, because they found the selfish advantage of imposing a duty on imports for their own use. Half the goods consumed in Vermont; and no small part of those consumed in the western parts of Massachusetts are bought in New York, and pay an impost of five per cent. for the use of this state. I say nothing of what the good citizens of North Carolina import from New York, wherein they pay a part of the New Yorker's taxes. 'Tis easy to discover why New York does not like the new government. But this very argument must be a very good one with the citizens of North Carolina why they should like that government. Consequently, it is to be hoped they will neither copy New York, nor Rhode Island."<sup>118</sup>

On July 26 he wrote: "You may be assured that the delegates from North Carolina have not been inattentive to the respect they owe the state, whatever may be their private sentiments respecting the new Constitution. When a committee had reported, and the question was taken up for putting the new government into motion, and a time was proposed for choosing electors and representatives, and for members entering on business, we stated fully the situation of our state and it was immediately agreed that time should be put off as far as we should allege was absolutely necessary. But no final question is yet taken; and we believe we shall be able to obtain such delay, that North Carolina may in the interim take her measures. Everything on this head is at the present stationary.

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<sup>118</sup> *Ibid.* II, 227.

"Some days ago there was a large procession here on ten States having confederated. Congress were invited to dine with the company, some thousands, under a particular pavillion in the fields. The other States attended, but the North Carolina delegates stayed at home. We conceived it was a respect we owed the State not to celebrate an event in our public characters, which the state we represented has not hitherto sanctioned by her approbation."<sup>119</sup>

In the meantime the convention at Hillsboro had refused to ratify the constitution by a majority of one hundred. Owing to the faulty means of communication, Williamson did not hear of it until later. He wrote to Iredell on the 23rd of August: "By letters from sundry correspondents, it appears that North Carolina has at length thrown herself out of the Union, but she happily is not alone; the large, upright, and respectable state of Rhode Island is her associate. This circumstance, however, does not, I hope, render it necessary that the delegates from North Carolina should profess a particular affection for the delegates from Rhode Island. That state was some days ago represented by a Mr. Arnold, who keeps a little tavern ten miles out of Providence; and a Mr. Hazard, the illiterate 'quondam' skipper of a small coasting vessel, who now, the very leader of Know Ye justices, officiates at county courts, and receives small fees, not as a lawyer, but as *agent for suitors*. . . .

"The 22nd Amendment, so called, was certainly a very important one for North Carolina. If an East India Company or a Mediterranean Company should be created, it would greatly interfere with her trade to those regions. What could have put foreign troops into their heads? They should have excepted particularly against the Japanese, who are *heathen*. The 12th amendment I take for an *original*. Others have talked about a *rebellion in a State*, but the North Carolina Convention speaks of a *State being in a rebellion*. Are these the same things according to the conception of Tom Person, and Tim Bloodworth, not forgetting the learned Judge Spencer? It is like the various expressions of *an old turned hat*, and a *turned old hat*. Perhaps they conceive that

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<sup>119</sup> *Ibid.* II, 235.

the federal Congress might undertake to declare a State out of the Union was in rebellion. To obviate this, it would have been safer to have required thirteen-elevenths. The other amendment, or Pejorations, I fully understand; but this I do not."<sup>120</sup>

## VI. LAST YEAR OF THE CONTINENTAL CONGRESS

In September, 1788, Dr. Williamson was delegated to serve another term in Congress.<sup>121</sup> Five others were delegated at the same time, but Williamson alone accepted. There came up the following year many things that were of interest to the state. Of these, the status of the state and the settlement of the state accounts with the federal government were the most important. The policy of North Carolina was to stay out of the Union and force certain amendments. Although Williamson used his influence to obtain these concessions, personally he did not think that to be the best way in which to secure them. On September 22, 1788, he wrote to Iredell:

"Before this time you must have heard that the new Government is to originate in March next, before which time Virginia could not have made all her elections, with time for the Kentucky members to attend. The new Congress is to meet in New York, a place very eccentric. Eastern members will be able to attend with too much ease; this will give them a legislative advantage, an improper one. Had North Carolina been in the Union, her five members in the House of Representatives could have easily turned the scale in favor of a more southern position. My patience and temper have been tried by this question; and the more so, perhaps, because for some time past I have not considered it proper to vote on the subject. I think that all attempts to induce our Assembly to call another convention immediately will be to little purpose, for, whatever we may publicly say, I do think that a want of honesty is at the bottom with many of our oppositionists. If they seriously have alterations at heart, I think they had best adopt, in order to secure them by legal compulsion. Be pleased to calculate—New Hampshire, Massachusetts, New York,

<sup>120</sup> *Ibid.* II, 238.

<sup>121</sup> S. R. XXI, 533-4.

Virginia, North Carolina and South Carolina call for amendments, and a strong body in Maryland and Pennsylvania. The representatives from the six states requiring amendments will be 37, while those from the other states are only 28, to say nothing of the help the amending corps may get from Pennsylvania and Maryland. They may compel amendments by refusing to vote supplies except for a very limited time.

"That our State might not be universally abused abroad, I have written the best apology I could make for it, which you will see in the *New York Daily Advertiser* for the 17th instant."<sup>122</sup>

Later he wrote: "I am so often asked what I think our State will do, that I have let off answering, except that we will probably do right, if Congress set us the example."<sup>123</sup>

On March 9, 1789, he wrote to Governor Johnston: "On the fourth Instant according to appointment, sundry members of the new Congress, viz: eight Senators and fourteen of the House of Representatives met at the public buildings in this City; since that time the Members of the Old Congress have not attempted to form a house; some of them are in the New Congress, the Remainder are Chiefly gone home.

"You will observe by the printed Journal that we have not during the winter been able to form a Congress of seven States."<sup>124</sup>

In case the government under the constitution should be organized Johnston did not want to lose the services of Dr. Williamson, but wished him to continue as a special representative to look after the interests of the state. On February 19 he wrote to Dr. Williamson as follows: "Before this reaches you, you will probably no longer have a seat in Congress. I shall notwithstanding hope that you will consider yourself a Confidential Servant of the State, and that you will occasionally communicate to me every matter of a Public Nature in which you may consider this State to be interested, which may come to your knowledge."<sup>125</sup>

On March 22, Dr. Williamson wrote to Governor John-

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<sup>122</sup> McRee, *op. Cit.* II, 241.

<sup>123</sup> *Ibid.* II, 265.

<sup>124</sup> S. R., XXI, 533.

<sup>125</sup> *Ibid.* XXI, 526.

ston: "Hitherto I considered myself in the service of the state as a member of Congress and shall continue to do so until the new government is in operation.

"There is a report in town that the King of Spain is dead. . . . If the king is dead, we shall soon find other measures pursued respecting the Mississippi. On this Subject I have some information that I cannot venture to commit to paper without a Cypher. It is a subject that so doubly concerns our State or many of its Citizens that I shall never lose sight of it, and hope on the same occasions to be able to show that on this head I have done the State some Service."<sup>126</sup>

Near the last of April, he wrote: "On Thursday next the President of the United States, George Washington, is to take the Oath and enter upon the Duties of his Office. The new form of government will then have commenced and my privilege of Franking Letters as a Member of Congress will probably be disputed.

"It is obvious that the Revenue System now before Congress must inevitably press with much weight on the Commerce of North Carolina. The Duty of One Dollar per hogshead is calculated for the meridian of Rhode Island and that on Spermaceti Candles, Cheese, and Malt will have the like Operation. Hitherto North Carolina has been treated with more respect; they have only talked of duties on Naval Stores and Corn. I will try if possible to beg the Indulgence of another year.

"The Foreign Tonnage of half a dollar per Ton must nip our trade. . . . By such a Tax the value of our produce must be reduced, for we have not the monopoly in the meantime."<sup>127</sup>

It was not until this law went into effect that Williamson hit upon a plan to except the commerce of his state from the application of this law. The collector of the customs at the port of New York began to collect foreign tonnage from the ships from North Carolina. Dr. Williamson drew up and presented to Congress a memorial on the subject and urged the argument that North Carolina had not foreited her claim

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<sup>126</sup> *Ibid.* XXI, 539.

<sup>127</sup> *Ibid.* XXI, 552.

to be considered one of the United States. In twenty-four hours this protest caused a law to be passed by which the vessels of North Carolina were allowed to enter on paying the domestic tonnage.<sup>128</sup>

Dr. Williamson sat in the ratifying convention at Fayetteville in November, 1789, as a delegate from Tyrrell County. Samuel Johnston was made chairman. When the convention had organized, Dr. Williamson moved that the constitution be read. He then moved that it be adopted, but the motion was referred to the committee of the whole. After a few days of deliberation, the convention ratified the constitution by a vote of 195 to 77.<sup>129</sup>

In conjunction with his work in Congress both previous and subsequent to this time, Dr. Williamson served with Colonel Thomas on the agency for settling the public accounts with the United States. They were chosen for this service by the Assembly. Williamson's popularity in both houses is shown by the fact that he and Benjamin Williams were nominated by the Senate, and Williamson, Hawkins, and Thomas were nominated by the Commons.<sup>130</sup> Williamson was already in Congress and in accepting the appointment, he wrote: "I feel myself flattered by the additional proof our State has given of their confidence in my disposition to serve them. Certainly the Duties of an Agent in settling old and intricate Accounts are not so agreeable to my feelings, as some other commissions with which I have been honored by the State, but I conceive that the State is deeply interested in the faithful discharge of those duties, and in cases when the publick may be profited by any service of mine, I shall never shun an Office merely because it is laborious. I shall therefore accept the appointment and in discharge of the same shall endeavor to deserve the approbation of the State."<sup>131</sup>

Williamson had been interested in this work for several years. As far back as 1783, he and his colleague in Congress wrote to Governor Martin: "We only wish to recommend a diligent attention to the settlement of public accounts and the

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<sup>128</sup> Hosack, *Op. Cit.*, 64, S. R. XXI, 563.

<sup>129</sup> S. R. XXII, 39 *et seq.*

<sup>130</sup> *Ibid.* XXI, 117, 150, 160.

<sup>131</sup> *Ibid.* XXI, 519.

interest of our own citizens so far as it may consist with strict justice and good faith."<sup>132</sup>

He gave much of his time and attention to this task. He made several trips to the state to collect documents and used his position in Congress to facilitate the work with favorable legislation.<sup>133</sup> He did not think that North Carolina would be able to get a square deal in the matter. He wrote: "It is curious but not very pleasing to observe that while some of the northern states never turned out a sergeant's guard of militia without obtaining the sanction of Congress or of some continental officer, our state in the true spirit of a patriot but not of an accountant has been expending militia and raising state troops without taking any heed concerning the day of retribution."<sup>134</sup> After two years of hard work, Williamson resigned in the late fall of 1790. He was kept busy by legislative work in Congress.<sup>135</sup>

#### VII. MEMBER OF THE FEDERAL CONGRESS

Dr. Williamson was elected to the first Congress under the constitution and took his seat March 19, 1790.<sup>136</sup> The question of assumption of state debts was then under discussion. The delegates from North Carolina were against assumption, but they had not all yet arrived. Williamson wished the House of Representatives to defer the matter a few days in order that North Carolina might be represented in full. His motion to this effect was defeated by a vote of 27 to 24.<sup>137</sup> He remarked that he had papers at home he would like to present to the House.<sup>138</sup> He thought the different states could levy taxes to suit their citizens better than could the central government.<sup>139</sup> He thought that assumption was very unfair to North Carolina; it would defraud the state of half a million dollars.<sup>140</sup> He said further: "Other states, since the peace, have laid taxes to raise money for paying interest, and that interest has been paid into the hands of

<sup>132</sup> *Ibid.* XVI, 757.

<sup>133</sup> *Ibid.* XXI, 126, 263, 265, 313, 348, 319, 354, 356, 533-4, 538-9, 552-3; 560, 566, 620, 621, 669, 670, 685. *Annals of Congress*, 1789-91, 1700.

<sup>134</sup> *Ibid.* XVII, 97.

<sup>135</sup> *Ibid.* XXI, 950.

<sup>136</sup> *Annals*, 1789-91, 1514.

<sup>137</sup> *Ibid.* 1528.

<sup>138</sup> *Ibid.* 1530.

<sup>139</sup> *Ibid.* 1538.

<sup>140</sup> *Ibid.* 1531.

their own citizens. North Carolina has imposed heavy taxes for sinking certificates, being part of the principle of the public debt; the citizen has drawn no relief from those taxes, and to crown his misfortune, he is not to get any credit for the certificates sunk. The state has also issued paper money to the amount of two hundred thousand pounds: that is to say, half a million of dollars; some of this money has been applied towards paying the late Continental Line of the army, and some of it has been used in buying public securities. The securities are in the treasury but the paper money is in circulation; our citizens are to be taxed for sinking this money, and we are not allowed a discount for the certificates which we purchased with the money. Will this not be a double tax? We are required to pay one proportion towards the interest of other peoples' certificates, we must at the same time pay taxes towards sinking our paper money, which is another species of certificates. North Carolina has assumed to herself more than her proportion of the continental debt. Let settlement first be made. There is a design to prevent a settlement."<sup>141</sup>

The delegation from North Carolina blocked the movement for assumption, but its advocates did not cease their endeavors to this end. On the twenty-fourth of April, Williamson wrote to Governor Martin: "The New England members, aided by those of New York, part of New Jersey, part of Pennsylvania and South Carolina, are perseveringly determined to adopt the State debts if possible. Hitherto they have been unsuccessful in their general attempt. I have been obliged, in order to show our willingness to do justice to move that a committee prepare a bill for making speedy settlement of the public accounts. I am on the committee, and shall not fail to endeavor to have such measures adopted as may put our State on a very respectable footing."<sup>142</sup>

May 13 he wrote: "You were long since informed of the part I had taken on the question of assuming State debts. Hitherto we have opposed successfully, but we have been obliged to support our opposition by the necessity of settling

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<sup>141</sup> *Ibid.* 1789-91, 1538.

<sup>142</sup> S. R. XXII, 795.



accounts first and assuming afterwards, if we then should be so minded. Uniformity requires that we should promote proper measures for the settlement, the interest of the State certainly requires it. The committee of which I am a member has a rule prepared a bill for making a final settlement and fixing a rule for the quotas. . . .

"The scheme, you see, if adopted, will oblige us to restate the whole of our accounts. A painful business, but the play will be worth the candle."<sup>143</sup>

Dr. Williamson took a stand in favor of encouraging American commerce. He said: "The exports from some states consist of bulky articles; and the transportation of lumber to the West Indies, in foreign bottoms, consumes 50 per cent. of the cargo. It is usual for a man to fill a vessel with lumber, and then give one-half to the ship-master for the carrying of the other. It is to the carrying trade that nations owe their wealth."<sup>144</sup>

He wished American goods to be carried in American bottoms, but he was not in favor of a navy. He thought it would be very unwise for the United States to be burdened with the expense of a navy, for it would be a long time before the nation would contend with European powers on the sea.<sup>145</sup> The bill for the encouragement of commerce passed.

On the question of establishing a militia, he thought from 16 to 18 years too early a period in which to require service; he was in favor of substituting 45 for 50 as the high-age limit. He contended that the public lands should be opened up to actual settlers only, and that land grabbers and speculators should be kept out.<sup>147</sup> He opposed the establishment of a national bank, as being condemned by the apparent intention of the parties which ratified the constitution and by the exposition of friends of the constitution while defending it before the public.<sup>148</sup>

Dr. Williamson was again returned to Congress in 1791. One of the first things that attracted his attention was a bill

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<sup>143</sup> *Ibid.* XXII, 796.

<sup>144</sup> *Annals*, 1789-91, 1614.

<sup>145</sup> *Ibid.* 1614.

<sup>146</sup> *Ibid.* 1851.

<sup>147</sup> *Ibid.* 1878.

<sup>148</sup> *Ibid.* 1942.

for giving a bounty for the encouragement of codfisheries. He made several speeches on the subject and argued that it was not in the power of Congress to give bounties, for it was in the nature of an unequal tax imposed on the South. He said in part: "The operations of the funding system has transplanted at least two millions of dollars from the southern states, that is to say, from Georgia, the Carolinas, and Virginia to the northern states. The interest on that sum, when it shall be six per cent., will be \$120,000; but the quota of those states is at least one-third of the whole; whence it follows that they must pay \$40,000 every year in the form of interest to the northern states.

"You will suffer me to say, that the southern states have much to fear from the progress of this government, unless your strength is favored by prudence. We shall not hear of a bounty for raising rice or preparing naval stores.

"Perhaps I have viewed this project in too serious a light; but if I am particularly solicitous on the subject of finance, that we do not seem to depart from the spirit of the constitution, it is because I wish that the Union may be perpetual. The several states are now pretty well relieved from their debts, and our fellow-citizens in the southern states have very little interest in the national funds; press them a little with unequal taxes, and the remedy is plain."

He said further: "If the theory of bounties is to be established, by which the southern states must suffer while others gain, the bill informs us what we are to expect."<sup>149</sup>

Washington, in his message to Congress, advocated the reduction of the public debt. Dr. Williamson defended the President's action; and when some of the members complained of the lack of information, he suggested that the President was no doubt acquainted with the situation of the revenue. Williamson "declared it as his opinion that our public debt was our most dangerous enemy; he wished it could be reduced twice as fast; the irredeemable quality of most of it he much disliked."<sup>150</sup>

He moved that a committee be appointed to bring in a bill for the encouragement of American commerce. He pointed

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<sup>149</sup> *Annals*, 1791-3, 378-81.

<sup>150</sup> *Ibid.* 696.

out that appropriate measures had been taken to encourage shipping but that an increase in the number of native American seamen was not fostered. He gave several examples of impressments which left American ship-masters short of help far from home. Naturalized sailors willingly left the trading vessels for jobs on board a British warship. Goods were taken from the hold to pay pretended debts or wages. Dr. Williamson showed that a remedy was of interest to the merchants and planters. He said, in part: "A powerful body of seamen, at some future day may serve to save us from the vast expense and danger of a standing army, to furnish the merchant with seamen, of which he cannot be robbed, except by open declaration of war, and to furnish the nation with a safe and strong bulwark against foreign tyranny and invasion. We can extend agriculture by extending foreign commerce, and by no other means whatsoever."<sup>151</sup>

He advocated a law which, in principle, applied to sailors the present German industrial insurance legislation. According to the proposed law, hospitals were to be built for the sick and infirm sailors. A small deduction from their wages, which was to be paid over at the port of entry, and a small tax on tonnage, were to furnish the necessary money. The whole matter was referred to a committee of five, of which Williamson was a member.<sup>152</sup>

One of the most striking things evident in the writing of Dr. Williamson is that he believed radically in restriction on, or prohibition of, the sale of spirituous liquors. In speaking of the people who used spirits to excess, he said: "Weary of decent deportment, and fatigued with the trouble of thinking, they deliberately sit down to deprive themselves of reason."<sup>153</sup> At another time he called attention to the havoc that whiskey had played with the Indians. He said further: "One day's labor in New York will buy six times the quantity of ardent spirits that it will buy in London. Our citizens will destroy themselves with ardent spirits in proportion to the ease with which they may be purchased. Thus it is that our

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<sup>151</sup> *Ibid.* 691.

<sup>152</sup> *Ibid.* 695.

<sup>153</sup> Observations on the Climate, etc., 91.

fellow-citizens are tempted to destroy the energy of body and mind; to sink themselves into idleness, poverty, and death.

"The national legislature, the legislatures of the several states, and civil magistrates will answer to their consciences, their country, and their God for the manner in which they guard the morals, the health, and the lives of their fellow-citizens."<sup>154</sup>

When we understand that this was his conviction on the subject, we are not surprised that he worked for measures to tax whiskey, although his constituents were directly in opposition to such a course. When the excise bill came up, Williamson gave it his support and, knowing the feeling of his constituents, told a friend that he would not be re-elected to Congress.<sup>155</sup> It was not long before a similar bill came up to be discussed and acted upon. Williamson remained absent from one roll call, but next day, when the other delegates from North Carolina became unanimous, he voted with them against the bill.<sup>156</sup> He served one more term in Congress, after which he retired from public life and went to New York to live.

Dr. Williamson always took an active part in legislative work. He cannot be called an orator, for his elocution was, as one said, "remarkable but somewhat peculiar." Yet he was a good reasoner; he possessed the ability to overthrow his opponent's argument and to advance his own in its stead. He was quick to detect the weak and defenseless points in his adversary's reasoning. He did not usually make long speeches, but in his desultory observations frequently appeared a knowledge of legislation which could only be furnished by a mind enriched by experience and deeply learned in history.<sup>157</sup> He was frequently honored with votes of thanks by the legislature of North Carolina, and when the University of North Carolina was established he was made a member of the board of trustees.<sup>158</sup> Jefferson said of him: "We served together in Congress during the winter of 1783-4; there I found him a

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<sup>154</sup> Williamson, *History of N. C.*, II, 155.

<sup>155</sup> Hosack, *op. cit.*, 84.

<sup>156</sup> *Annals*, 1789-91, 1700, 1932.

<sup>157</sup> Hosack: *op. cit.*, 67.

<sup>158</sup> S. R., XXV, 22.

very useful member, of an acute mind, attentive to business, and of an high degree of erudition.”<sup>159</sup>

### VIII. MARRIAGE AND LITERARY WORK

Dr. Williamson lived the larger part of his life as a bachelor. From his letters written in 1782-3, we find that the fairer sex was becoming more attractive to him than before that time.<sup>160</sup> In 1789 at the age of 54, he married Miss Maria Apthorpe, the daughter of Hon. Charles Ward Apthorpe, of New York. He was at this time serving in the first Congress of the United States under the federal constitution. By his wife he had two sons, and her death followed close on the birth of the second. It is probable that this event hastened his decision to retire from public life to devote his time to study.

After his service in Congress, Dr. Williamson gave much of his time to the education of his children. He published many essays in the *Medical and Philosophical Register*. The first was entitled, "Remarks upon the incorrect manner in which Iron Rods are sometimes set up for defending houses from lightning." His other papers were "Conjectures respecting the Native Climate of Pestilence", "Observations on Navigable Canals", "Observations on the means of preserving the Commerce of New York", and "Additional Observations on Navigable Canals." He was among the first of the citizens of New York who entertained correct views as to the practicability of building the Erie Canal, which meant so much to that city. The importance of the work so impressed him that he published an essay on the subject of canal navigation, another series of essays which were well received through the newspapers, and which have been several times reprinted.<sup>161</sup>

Dr. Williamson published the *Letters of Sylvius* serially in the *American Museum* in 1787. In explanation of his not putting his name to the letters he said: "The reader is not interested in knowing who the writer of these letters may be. A bad argument is not mended by the supposed abilities of

<sup>159</sup> Hosack: *op. cit.*, 67.

<sup>160</sup> McRee: *op. cit.*, 30.

<sup>161</sup> Hosack: *op. cit.*, 76.

its author: and a good argument does not require parental support. In the meantime, he counts it his duty to declare, and he does it with humble gratitude, that his complaints are not occasioned by personal misfortunes; but he finds himself a member of a great family; he interests himself as a brother in the happiness of his fellow-citizens; and he suffers where they are grieved."<sup>162</sup> In discussing the importance of his general subject, he said: "Paper money is the most important subject since the Declaration of Independence. We are going to consider whether the administration of government, in these infant states, is to be a system of patchwork, and a series of expedients—whether a youthful empire is to be supported, like the walls of a tottering ancient palace, by shores and temporary props, or by measures which may prove effectual and lasting—measures which may improve by use, and strengthen by age. We are going to consider whether we shall deserve to be a branch of the most poor, dishonest, and contemptible, or of the most flourishing, independent, and happy nation on the face of the earth."<sup>163</sup>

The purpose of these letters was to prove: "That paper money must prove hurtful to this country; that we cannot be relieved from our debts except by promoting domestic manufactures; and that, during the prevailing scarcity of money, the burdens of the poor may be relieved by altering the mode of taxation."<sup>164</sup> The *Letters of Sylvius* set forth the evils of paper money, the advantage of domestic manufactures, the advisability of levying an excise rather than land and poll taxes. They also give an insight into the commercial and economic conditions in North Carolina at that time.

After he went to New York, Dr. Williamson did not appear in public life again but one time. In 1805 he was a member of a medical committee to examine into the origin of the yellow fever which was then raging in that city. In 1810 he was appointed by the New York Historical Society to deliver the anniversary discourse commemorative of the objects of that institution. He willingly complied with the

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<sup>162</sup> Letters of Sylvius, Historical Papers of the Trinity College Historical Society, Series XI, p. 6.

<sup>163</sup> *Ibid.* p. 7.

<sup>164</sup> *Ibid.* p. 7.

request and chose for his subject, "The Benefits of Civil History."<sup>165</sup>

In 1811 Dr. Williamson published his *Observations on Climate*. He had been working on this subject for a number of years; some of the material that he had gathered together fell into the hands of the British during the Revolutionary War.<sup>166</sup> In explanation of his tardiness in publication, he said: "Thirteen or fourteen years service on the Congress or other employments under the state left little time for other attentions, to a man who always was desirous that his want of talent might be compensated by a greater diligence in public service."<sup>167</sup>

Certain writers in Europe had described America "as a world lately risen from the ocean; as a country in which the frigid temperature of atmosphere seems to be imposed upon its animal productions; as a country, in which some vice of climate, or combination of elements, prevents the expansion of animated nature, and causes man and beast to degenerate; a country for which a new and inferior race of men has been created."<sup>168</sup> It was to disprove this that the book was written. The *Observations* is even now highly interesting and instructive reading.

Dr. Williamson's *History of North Carolina* was published in two volumes at Philadelphia in 1812. A copy of the book had been prepared several years before, but for various reasons he had wished to leave its publication in the care of his eldest son. The son died, and the history was sent to press without further delay.

The *History of North Carolina* was not a success. There were several impediments, the most important of which was that Dr. Williamson was no historian. Of the history Dr. Neeks says:

"In the preparation of this work Williamson labored under many and great disadvantages. The material was inaccessible. The result was that, while the history shows evidence of honest and faithful work, it is a lamentable failure. William-

<sup>165</sup> Hosack: *op. Cit.*, 76.

<sup>166</sup> *Observations on Climate*, p. v.

<sup>167</sup> *Ibid.*, vi.

<sup>168</sup> *Ibid.*, 1.

son was no more a historian than he was an orator and poet. His book presents few facts, and these are of slight importance; it is lacking in historical perspective; it is without imagination or the graces of style, and the blunders in the mere statement of facts are innumerable, while that period of the state's history where he could have spoken with the might of an original authority—the Revolution and after—is untouched. Never did an earnest and conscientious man miss his calling more completely than did Williamson when he undertook this work, but his high standing and reputation in other fields gave his history a rank which it could not otherwise have commanded.”<sup>169</sup>

#### IX. PERSONAL CHARACTERISTICS

Dr. Williamson's health declined gradually after the death of his eldest son. He died on the 22nd of May, 1819, in the 84th year of his age. His death came in the sudden manner he had anticipated. While taking his daily ride a short distance from New York City with his favorite niece, the excessive heat overcame him, and he suddenly sank into unconsciousness. Medical aid was summoned immediately, but it was too late; he was dead.<sup>170</sup>

In person, Dr. Williamson was considerably taller than the general standard; he was of a large, well proportioned frame, but was not fleshy. He carried himself erect even in the decline of life. His forehead was high and open; his cheek bones were elevated. His eyes were dark gray, penetrating, and steady. His nose was aquiline; his chin was long and prominent.<sup>171</sup>

Dr. Hosack, a personal friend of Williamson, says: “In his conversation, Dr. Williamson was pleasant, facetious, and animated; occasionally indulging in wit and satire; always remarkable for the strength of his expression, and an emphatic manner of utterance, accompanied with a peculiarity of gesticulation, originality in part ascribable to the impulse of an active mind, but early in life had become an established habit.

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<sup>169</sup> Weeks: *Biographical History of N. C.*, vol. V, 466.

<sup>170</sup> Hosack: *op. cit.*, 80.

<sup>171</sup> *Ibid.* p. 81.



"As might be expected because of his trade and education his manners, though in some respects eccentric, were generally those of a polite gentleman. Occoasionally, however, when he met with persons who either displayed great ignorance, want of moral character, or a disregard to religious truth, he expressed his feelings in such a manner, as distinctly to show that they had no claim to his respect. To such, both his language and manners might be considered abrupt, if not possessing a degree of what might be denominated Johnsonian rudeness."<sup>172</sup>

Further, Dr. Hosack says: "The steadiness of his private attachments ought not to be passed over in silence. Dr. Williamson was slow in forming his friendships, but when formed, as the writer of this memorial of his worth can testify, it was immovable, and not to be changed by time or distance."<sup>173</sup>

During his long life, Dr. Williamson's restless activity carried him into many fields of service. He was greatly successful in the majority of them. As a physician, he was one of the best to be found in the United States. As an army surgeon, he succeeded in practice and suggested the inoculation of troops before they entered active service. This idea is now rigorously carried out in the construction of all modern armies. As an investigator, he gained the admiration both of America and Europe. As a commercial man, he was active in the building up of the carrying trade and was one of the first to have a correct idea of the practicability of the Erie Canal. He endeavored to establish a plan of social insurance for the sailors. As a legislator, he was active in the interest of his state and nation. As a philanthropist, he gave generously to worthy causes. As an educator, he took much time in establishing and maintaining schools. As a statesman, he endeavored to guide the nation in safe channels. He warned against the possible division of the states and did his best to defeat legislation that tended to this end. As a servant of the people, he gained their confidence and thanks. In view of Dr. Williamson's constructive ideas and unselfish service, we may well say that he was no ordinary man.

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<sup>172</sup> *Ibid.* 82.

<sup>173</sup> *Ibid.* 88.

## Unpublished Letters of Hugh Williamson<sup>1</sup>

To Mr. John Mease, a merchant of Philadelphia, later near Lancaster.

Edenton Feby 11th 1778

DEAR SIR:

Your's of Jan<sup>y</sup> 11th came to hand on the 20th Feby. The Linden has been long detain'd through the want of a good Conveyance. I intended sending it by Land if any goods should offer worth sending in a Wagon, none offer'd and about 3 Weeks ago I ordered it from S. Key to Suffolk under the Care of M<sup>r</sup> Rob<sup>t</sup> Johnson of Baltimore to be conveyed across James's River to Williamsburg and thence by land to the mouth of York River & thence by Water to Baltimore with other dry goods of M<sup>r</sup> Johnson's which I expect he will accompany in Person. Enquire of him or his Brother in Baltimore of M<sup>r</sup> John M<sup>c</sup>Henry there whether they are arrived. My Brother I wrote you arrived in Cha<sup>s</sup>Town long since to receive Pay for his Vessels Cargo from the underwriters haven fallen into the hands of Robbers. He since got the command of an armed Sloop and has been detained some months by an Embargo. When I told you that I was engaged in building Vessels you hardly expected that I should return suddenly. I am not in haste to return. What have I to do in Pennsylvania? Is it that I may try for some Employm<sup>t</sup> that I ought to have been solicited to accept? Is it that I may be pestered by answering numberless objections proposed by some insidious Knave who heard the dreams of some fool who could not tell whether I (am) of the Country that gave me birth? There is not in America a Man who has served it more faithfully or disinterestedly. I am still ready to serve it if an Occasion should offer. I see none at Present. I have some time ago been informed that no Bill has been drawn on me for your Acceptance nor will be drawn. The Negotiation had been sufficiently explain'd. The Letter must have miss'd its Passage. M<sup>r</sup> Wallace himself has once and again requested me to interest him in one or more Boats and get the Money from M<sup>r</sup>

<sup>1</sup> The originals of the two letters here printed are in the possession of the Historical Society of Pennsylvania. They are published with the kind permission of its librarian, Dr. John W. Jordan.—J. W. Neal.

Purfield. I saw Mr P. lately who desired me to draw on him in Baltimore for what Money I wanted. I might as well draw on the Bank of Venice. He chuses I suppose to lay it out for himself. The inclosed contains my Ideas of a Trade that might be carry'd on here by help of a considerable Capital six or Eight Thousand Pounds would do a great deal. I have bot two small Vessels, one of them of about 40 Tons for the Inland Trade, and am building 2 or 3 Boats of about 70 Tons. I wish you would be so good as to give me the amo<sup>t</sup> both of the Sales of the Medicines and of the dry goods sent by Coll. Cowperthwait that I may be enabled to make proper Entries in my Books.

Be so good as assure Mr<sup>s</sup> Mease of my highest Esteem and believe me to be with great sincerity

D<sup>r</sup> sir

Your most obed<sup>t</sup> hble Serv<sup>t</sup>

Hu Williamson

A very profitable Trade has been carry'd on in what is call'd Virginia Boats, but in the general scramble a single Carp<sup>r</sup> is hardly to be got and building Boats is thence very tedious. A very profitable trade may be carry'd on without adventuring at Sea. Foreign Vessels either French or Bermudians frequently arrive with valuable Cargos. They must load with Tobacco or w<sup>th</sup> Corn Pork &c they want dispatch. Tobacco is bro<sup>t</sup> here from Virginia with much Trouble. People here in general are occupy'd in bringing for their own Vessels. Whoever can buy the Tobacco in Virginia & bring it here is sure of a decent Profit and the Refusal of a profitable Cargo of West India or European goods, a very good profit is even made by purchasing such goods here for Cash and transporting them to the Northward. Two or three People must necessarily be employd at diff<sup>t</sup> Stations in giving dispatch to any such Business. I have made above 60 P C<sup>t</sup> by buying & selling within 8 Weeks. But the Trade from Cha<sup>s</sup> Town w<sup>ch</sup> flourished for some Months is now quite over and some Disaster or unsuspected Incident may also demolish the Trade of this State. But as we have not the Spirit of Divination we must attend to what at present gives the fairest Promises of Success.

Princeton 23rd Aug.† 1783

DEAR SIR

Lignum vitae and other hard words apart, I am ready to admit that it is possible and not very improbable that M<sup>rs</sup> Mease may be afflicted with Schirrus Uteri but I have not yet considered this as certain, and have as I admit shund Conversation which tended towards giving any opinion on that particular Sympton. You must certainly know what is meant by any Part being schirrous. The Part so affected is generally considerably enlarged and hard & is often unattended by any Pain. It is a particular kind of swelling very distinct from inflamitory swellings. Thus you have seen the Breast of a woman giving suck greatly inflamed and swell'd with much Pain. Such swellings are being inflamitory tend to suppuration & soon terminate. You may also have seen one of the Breasts of a Lady who formerly had given suck having no Milk in it at present but hard and greatly enlarged continuing in that form during Life, this is generally of that kind which are called schirrous swellings. Such swellings often affect the Uterus, and perhaps they are more hurtful there than in any other Part of the Body because they generally affect or prevent the Regular System of a womans good Health meerly by their Situation. But I have frequently known strong appearances of that Complaint when it did not exist. There are also instances of the Parts adjacent to the Uterus being schirrous while it was free. Now on a supposition, of what by the way, is very true, that there is not any person living, my own sisters not excepted, for whose Health I am more solicitous than for M<sup>rs</sup> Mease's: you may wonder why I have (blurred) appear'd more inquisitive on this Subject; But you are to observe it is one of the Things which like fate you need not be very solicitous about; for Enquiries do not prevent & I presume that medicine did never remove it. There are however Instances, many of them, of its being attended for Years together with a considerable Degree of good Health. Such Health is only to be expected from, what I do earnestly recommend, Good Air and Exercise. I hope she may recover be-

fore Winter such a degree of Strength as not to be in danger of sinking into that low State we saw her last Spring.

Be pleased to present M<sup>rs</sup> Mease with my Respects and be assured that I am with the utmost Esteem.

Your obed<sup>t</sup> Hble Serv<sup>t</sup>

Hu Williamson



